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CAPE OF GOOD HOPE.

REPORT

OF THE

SELECT COMMITTEE

ON THE

PETITION

OF

H. VAN RENEN.

Printed by Order of the House of Assembly.

AUGUST 1906.

CAPE TOWN :

CAPE TIMES LIMITED, KEEROM STREET,

1906.

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CAPE TOWN :

CAPE TIMES LIMITED, KEEROM STREET

1906.

ORDERS OF THE HOUSE.

27th June, 1906

ORDERED : That the Petition of H. van Renen, presented to the House on the 5th instant, be referred to a Select Committee for inquiry and report, the Committee to have power to take evidence and call for papers, and to consist of six members, to be appointed by the Select Committee on Standing Rules and Orders.

2nd July, 1906.

ORDERED : That the following members form the Select Committee on the Petition of H. van Renen : Messrs. Oats, Jagger, Malan, Molteno, Oliver and Maasdorp : Mr. Oats to be Chairman : unless all the members be present there shall be no meeting of the Committee.

17th July, 1906.

ORDERED : That the Report of the Select Committee on Surveyor-General's Office, dated the 30th May, 1905, be referred to the Committee.

REPORT

OF THE

SELECT COMMITTEE, appointed by Orders of the House of Assembly, dated the 27th June, and the 2nd July, 1906, to inquire into and report upon the Petition of H. van Renen, presented to the House on the 5th June; the Committee to have power to take evidence and call for papers, and to consist of Messrs. OATS, JAGGER, MALAN, MOLTEN0, OLIVER, and MAASDORP; Mr. OATS to be Chairman; and no meeting of the Committee to be held, unless all the members be present.

1. Your Committee have considered the Report and the evidence attached thereto of the Select Committee presented to the Honourable the House of Assembly, last year, on this subject, and have taken further evidence and beg to submit the following Report thereon.

2. Your Committee find that when the Honourable Mr. Fuller took office as Minister for Agriculture, he found himself at the head of a department which was not giving public satisfaction, especially were complaints made against the Surveyor-General's branch of the Department, which had fallen into a condition of laxity and want of discipline that had been the growth of years.

3. In August, 1904, Capt. Jurisch, the then Surveyor-General, died, and a successor had to be appointed, and Mr. Fuller thus took the opportunity of doing what he believed to be necessary in the interests of the public service and reform the Department. Mr. van Renen was then and

had been for some time Acting Surveyor-General, and in the ordinary course would have been promoted to the position of Surveyor-General. Upon consultation with the then permanent head of the Agricultural Department, and also with his Assistant. Mr. Fuller was impressed by these gentlemen, that in their opinion Mr. van Renen was not strong enough as an administrator to carry out the re-organization which was contemplated by them, nor of bringing about the necessary reforms in the office.

4. Influenced by the opinion of these gentlemen and by complaints made to him from outside as to the lax conduct of the office, he came to the conclusion that it would not be in the interests of the public to give Mr. van Renen the permanent appointment of Surveyor-General.

5. In coming to this conclusion, your Committee after carefully considering the evidence are of opinion that he was amply justified.

6. Your Committee would, however, desire to place on record that there is no imputation on the character of Mr. van Renen, nor upon his capability as a surveyor, and one of high repute. Late in life Mr. van Renen was induced to quit the field for office work, and became, unfortunately for himself, part of a system characterized by laxity and neglect. This condition of the office was not attributable to him, nor does the evidence show that these complaints, during the time he was Acting Head of the office, were greater than formerly ; but it does not appear that Mr. van Renen did much to improve matters.

7. When Mr. Fuller decided in his mind that the permanent appointment could not be given to Mr. van Renen, it is to be regretted that he did not see Mr. van Renen himself and explain to him frankly but firmly why he was not able to give him the permanent appointment. This, your Committee think, would have probably led to an amicable

arrangement being come to. Finally, in the interests of the efficient working of the Surveyor-General's Office, your Committee are of opinion that Mr. van Renen should be placed on pension, and they would recommend his case to the most favourable consideration of the House.

FRANCIS OATS,

Chairman.

Committee Rooms,
House of Assembly.
14th August, 1906.

RAPPORT

VAN HET

GEKOZEN COMITÉ, aangesteld door Resoluties van de Wetgevende Vergadering van 27 Juni en 2 Juli 1906, om onderzoek in te stellen naar en te rapporteeren op de Petitie van H. van Renen, ingediend op 5 Juni; het Comité macht te hebben getuigenis in te winnen en om papieren te vragen en te bestaan uit de heeren OATS, JAGGER, MALAN, MOLTENO, OLIVER en MAAEDORP,—de heer OATS Voorzitter te zijn; en tenzij al de leden tegenwoordig zijn er geen vergadering van het Comité te zijn.

Uw Comité heeft het Rapport met de getuigenis daarbij van het Gekozen Comité op deze zaak ingediend bij de Wetgevende Vergadering laatste sessie, overwogen; zij heeft verdere getuigenis ingewonnen en wenscht nu het volgende Rapport in te dienen.

2. Uw Comité vindt dat toen de Edele heer Fuller Minister van Landbouw werd, hij zich aan 't hoofd van een Departement bevond waarmee het publiek niet tevreden was; vooral waren er klachten tegen de Landmeter-Generaal's tak van het Departement die in een toestand van gebrek aan orde en discipline verkeerde iets dat jaren reeds aan den gang was.

3. In Augustus 1904 stierf Kapt. Jurisch, de toenmalige Landmeter-Generaal, en een opvolger moest aangesteld worden. De heer Fuller nam deze gelegenheid te baat om te doen wat hij geloofde noodig te zijn in belang van den publieke dienst en de verbetering van het Departement. De heer van Renen was toen, en reeds eenige tijd

geleden. Waarnemende Landmeter-Generaal en in de gewone loop van zaken zou hij tot Landmeter-Generaal bevorderd geworden zijn. De heer Fuller raadpleegde het toenmalige hoofd van het Landbouw Departement en diens Assistent en deze heeren maakten den indruk op hem dat in hunne opinie de heer van Renen niet sterk genoeg was als een administrateur om de reorganisatie, die men in 't oog had, door te zetten, en ook niet om de noodige verbeteringen in het kantoor teweeg te brengen.

4. Geïnfleueerd door de opinie van deze heeren en door klachten van buiten omtrent het gebrek aan discipline in het kantoor, kwam hij tot het besluit dat het niet in belang van het publiek zou zijn om den heer van Renen permanent aan te stellen als Landmeter-Generaal.

5. Uw Comité, na de getuigenis zorgvuldig overwogen te hebben, is van opinie dat hij ten volle gerechtvaardigd was om tot dit besluit te komen.

6. Uw Comité wenscht echter aan te teekenen dat er geen blaam geworpen wordt op het karakter van den heer van Renen, noch op zijn bevoegdheid als landmeter—als zoodanig staat hij hoog aangeschreven. Reeds ver gevorderd in jaren werd de heer van Renen bewogen het veld te verlaten voor kantoor-werk en hij werd, ongelukkig voor hem, deel van een stelsel gekenmerkt door zwakke discipline en nalatigheid. Deze toestand van het kantoor was niet aan hem toe te schrijven, en evenmin toont de getuigenis dat de klachten, in den tijd dat hij het Waarnemend Hoofd was, talrijker dan vroeger waren; maar het blijkt ook niet dat de heer van Renen veel deed om zaken te verbeteren.

7. Het is te betreuren dat de heer Fuller, toen hij tot het besluit kwam, dat de heer van Renen niet permanent kon aangesteld worden, zulks niet aan den heer van Renen zelf bekend maakte en

aan hem duidelijk maar ferm uitledde waarom hij niet in staat was hem permanent aan te stellen. Dit, zoo meent uw Comité, zou heel mogelijk geleid hebben tot een vriendschappelijke schikking. Ten slotte, uw Comité is van opinie dat het in belang van de doeltreffende werking van het kantoor van den Landmeter-Generaal zal zijn indien de heer van Renen gepensioeneerd werd en zij wil zijn geval aan de gunstigste overweging van het Huis aanbevelen.

FRANCIS OATS,
Voorzitter.

Comité Kamer,
Wetgevende Vergadering,
14 Augustus 1906.

PROCEEDINGS OF COMMITTEE.

PROCEEDINGS OF THE SELECT COMMITTEE, appointed by Orders of the House of Assembly, dated the 27th June and the 2nd July, 1906, to inquire into and report upon the Petition of H. van Renen, presented to the House on the 5th instant: the Committee to have power to take evidence and call for papers: and to consist of Messrs. OATS, JAGGER, MALAN, MOLTENO, OLIVER and MAASDORP: Mr. OATS to be Chairman: no meeting of the Committee to be held unless all the members be present.

Friday, 6th July, 1906.

PRESENT:

Mr. OATS (Chairman).

Mr. Jagger.
Mr. Malan.
Mr. Molteno.

Mr. Oliver.
Mr. Maasdorp.

Clerk read Orders of the House, dated the 27th June and the 2nd July, 1906, appointing the Committee, and Mr. Oats Chairman.

Clerk read and laid upon the Table the Petition of H. van Renen. [Appendix A.]

The Committee deliberated and adjourned until Tuesday, the 17th July, at 10.15 a.m.

Tuesday, 17th July, 1906.

PRESENT:

Mr. OATS (Chairman).

Mr. Malan.
Mr. Molteno.
Mr. Maasdorp.

Mr. Jagger.
Mr. Oliver.

The Honourable Arthur John Fuller, M.L.A., Secretary for Agriculture, was examined, and put in:

Memorandum re the appointment of Mr. A. H. Cornish Bowden as Acting Surveyor-General. [Appendix B.]

Resolved : That the Chairman make application to the House for the Report of the Select Committee on Surveyor-General's Office, dated 30th May, 1905, to be referred to the Committee.

The Committee deliberated and adjourned until Monday, at 10.15 a.m.

Monday, 23rd July, 1906.

PRESENT :

Mr. OATS (Chairman).

Mr. Jagger.	Mr. Oliver.
Mr. Malan.	Mr. Maasdorp.
Mr. Molteno.	

Clerk read Order of the House, dated the 17th instant referring to the Committee the Report of the Select Committee on the Surveyor-General's Office (S.C. 23—1905) dated the 30th May, 1905.

Clerk laid copies of the Report upon the Table.

The Honourable Arthur John Fuller, M.L.A., Secretary for Agriculture, was further examined, and put in :

Memorandum with references to the absence on sick leave and ordinary leave of Officers of the Surveyor-General's Department during the period May, 1904, to January, 1906. [Appendix C.]

The Committee deliberated, and adjourned until Friday, at 10.15 a.m.

Friday, 27th July, 1906.

PRESENT :

Mr. OATS (Chairman).

Mr. Jagger.	Mr. Malan.
Mr. Oliver.	Mr. Maasdorp.
Mr. Molteno.	

The Honourable Arthur John Fuller, M.L.A., Secretary for Agriculture, was further examined,

Mr. Gilbert Neville Williams, First Class Clerk, Agricultural Department, was examined, and put in :

(1) Memorandum *re* Re-organization of Surveyor-General's Office. [Appendix D.]

(2) Copy of two letters, dated the 19th July, 1904, addressed to the Surveyor-General by the Under Secretary for Agriculture. [Appendix E.]

(3) Memorandum of matters to be wholly dealt with by the Surveyor-General. [Appendix F.]

Resolved: That a printed copy of the evidence given by the Honourable the Secretary for Agriculture and Mr. G. N. Williams be forwarded to Mr. van Renen to enable the Committee to examine him upon it.

The Committee deliberated and adjourned until Friday, at 10.15 a.m.

Friday, 2nd August, 1906.

PRESENT:

Mr. OATS (Chairman).

Mr. Jagger.

Mr. Oliver.

Mr. Molteno.

Mr. Malan.

Mr. Maasdorp.

The Chairman stated that Mr. Speaker had ruled that a copy of the evidence given by the Secretary for Agriculture and Mr. Williams could not be communicated to Mr. van Renen, but that any questions could be asked him upon the said evidence.

Mr. Henry van Renen, Assistant Surveyor-General, was examined.

The Committee deliberated and adjourned until Monday, at 12 noon.

Monday, 6th August, 1906.

PRESENT:

Mr. OATS (Chairman).

Mr. Jagger.

Mr. Oliver.

Mr. Molteno.

Mr. Malan.

Mr. Maasdorp.

Messrs. F. W. Green, Private Secretary to the Secretary for Agriculture; W. P. Murray, Registrar Surveyor, Deeds Office, and Clement Foster, Attorney, were examined.

The Committee deliberated and adjourned until Tuesday, at 12 noon.

Tuesday, 7th August, 1906.

PRESENT:

Mr. OATS (Chairman).

Mr. Jagger.

Mr. Malan.

Mr. Molteno.

Mr. Oliver.

Mr. Maasdorp.

The Committee deliberated and adjourned until to-morrow, at 9.30 a.m.

Wednesday, 8th August, 1906.

PRESENT :

Mr. OATS (Chairman).

Mr. Jagger.

Mr. Malan.

Mr. Molteno.

Mr. Oliver.

Mr. Maasdoorp.

The Committee deliberated and adjourned until Monday, at 10.15 a.m.

Monday, 13th August, 1906.

PRESENT :

Mr. OATS (Chairman).

Mr. Jagger.

Mr. Malan.

Mr. Molteno.

Mr. Oliver.

Mr. Maasdoorp.

The Chairman exhibited original copy of the memorandum by Mr. W. H. Tooke to the Minister for Agriculture.

Mr. William Hammond Tooke, late Assistant Under Secretary for Agriculture, was examined.

The Committee deliberated and adjourned until to-morrow, at 10.15 a.m.

Tuesday, 14th August, 1906.

PRESENT :

Mr. OATS (Chairman).

Mr. Jagger.

Mr. Malan.

Mr. Molteno.

Mr. Oliver.

Mr. Maasdoorp.

The Honourable Colonel C. P. Crewe C.B., M.L.A., Colonial Secretary, was examined.

The Chairman submitted a Draft Report, as follows :

1. Your Committee have considered the Report and the evidence attached thereto, of the Select Committee, presented to the Honourable the House of Assembly last year on this subject, and have taken further evidence, and beg to submit the following Report thereon :
2. Your Committee find that when the Honourable Mr. Fuller took office as Minister for Agriculture he found himself at the head of a Department which was not giving public

satisfaction, especially were complaints made against the Surveyor-General's branch of the Department, which had fallen into a condition of laxity and want of discipline that had been the growth of years.

3. In August, 1904, Capt. Jurisch, the then Surveyor-General died, and a successor had to be appointed, and Mr. Fuller thus took the opportunity of doing what he believed to be necessary in the interests of the public service and reform the Department. Mr. van Renen was then, and had been for some time, Acting Surveyor-General, and in the ordinary course would have been promoted to the position of Surveyor-General.

Upon consultation with the then permanent head of the Agricultural Department, and also with his Assistant, Mr. Fuller was impressed by these gentlemen that in their opinion Mr. van Renen was not strong enough as an administrator to carry out the re-organisation which was contemplated by them nor of bringing about the necessary reforms in the office.

4. Influenced by the opinion of these gentlemen and by complaints made to him from outside as to the lax conduct of the office, he came to the conclusion that it would not be in the interest of the public to give Mr. van Renen the permanent appointment of Surveyor-General.
5. In coming to this conclusion, your Committee, after carefully considering the evidence, are of opinion that he was amply justified.
6. Your Committee would, however, desire to place on record that there is no imputation on the character of Mr. van Renen, nor upon his capability as a surveyor, and one of high repute. Late in life Mr. van Renen was induced to quit the field for office work, and became, unfortunately for himself, part of a system characterised by laxity and neglect. This condition of the office was not attributable to him, nor does the evidence show that these complaints during the time he was Acting head of the office were greater than formerly, but it does not appear that Mr. van Renen did much to improve matters.
7. When Mr. Fuller decided in his mind that the permanent appointment could not be given to Mr. van Renen, it is to be regretted that he did not see Mr. van Renen himself and explain to him frankly but firmly why he was not able to give him the permanent appointment. This your Committee think would have probably led to an amicable arrangement being come to. Finally, in the interests of the efficient working of the Surveyor-General's Office, your Committee are of opinion that Mr. van Renen should be placed on pension, and they would recommend his case to the most favourable consideration of the House.

The Committee proceeded to consider the above Draft Report.

Paragraphs One to Four put and agreed to.

On Paragraph Five,

Mr. Molteno moved: To omit all the words after "that" to the end of the paragraph, and substitute "the Minister for Agriculture did not take reasonable steps to inform himself as to the fitness of Mr. van Renen for the office of Surveyor-General, nor did he have any interview with Mr. van Renen regarding the working of the Surveyor-General's Office. Your Committee are of opinion that Mr. Van Renen showed want of judgment in resisting the retirement of the late Mr. Maclear on pension, but in view of the fact that Mr. van Renen was only Acting Surveyor-General at the time, they do not consider this a sufficient reason for his supersession. Your Committee therefore see no reason to alter the decision which the Committee of last year came to."

Upon which the Committee divided:

AYES—2.	NOES—4.
Mr. Molteno.	The Chairman.
Mr. Malan.	Mr. Jagger.
	Mr. Maasdorp.
	Mr. Oliver.

Motion accordingly negatived.

The Paragraph was then put and agreed to.

Paragraphs Six and Seven put and agreed to.

Mr. Molteno moved: That the following be a new paragraph:

"Your Committee regret that after the appointment of the Select Committee on this subject last session, and the presentation of their tentative report, with a view to continued inquiry during the present session, the Minister for Agriculture confirmed the acting appointment of Mr. Cornish-Bowden as Surveyor-General during the recess."

Upon which the Committee divided:

AYES—2.	NOES—4.
Mr. Molteno.	The Chairman.
Mr. Malan.	Mr. Jagger.
	Mr. Maasdorp.
	Mr. Oliver.

Motion accordingly negatived.

Resolved: That the Chairman report accordingly.

MINUTES OF EVIDENCE.

SELECT COMMITTEE ON PETITION OF H. VAN RENEN.

Tuesday, 17th July, 1906.

PRESENT :

Mr. OATS (Chairman).

Mr. Malan.

Mr. Oliver.

Mr. Maasdorp,

Mr. Jagger.

Mr. Molteno.

*The Honourable Arthur John Fuller, Secretary for
Agriculture, examined.*

1. *Chairman.* You have been summoned here at the request of the Committee to tell us what you know about the case of Mr. van Renen: now would you be prepared to make a statement with regard to that matter?—I have prepared a memorandum on the subject which I think will perhaps facilitate business. I will read this memorandum to the Committee and put it in, together with certain annexures attached to it. Memorandum read and put in. Appendix B.] Then I have attached to this memorandum a minute by the Acting Under Secretary for Agriculture, addressed to the Minister, on the same subject.

2. *Mr. Malan.* Was this Minute written before Mr. Tooke gave evidence before a similar Committee last year, or after he gave that evidence?—No; before he gave the evidence last year.

3. What is the date of this Minute?—It bears no date, but it was written about the date of Captain Jurisch's death; we were discussing the matter of the appointment of a successor at the time.

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4. *Mr. Mölleno.*] But that could not have been at the time of Capt. Jurisch's death, because when Capt. Jurisch died Mr. Currey was here still, and that Minute was evidently written after Mr. Currey had left for Europe?—Well, when Mr. Currey left this question was under consideration, and continued so when Mr. Tooke was appointed to act for Mr. Currey.

5. Then that memorandum must have been drawn up after Mr. Currey left?—Yes.

6. *Mr. Malan.*] At the time when this Minute was written Mr. van Renen had not resigned?—Oh, no; we were then considering the question of filling up the vacancy caused by the death of Capt. Jurisch.

7. But in your statement just read to the Committee you said that the time when Mr. Cornish-Bowden was appointed Mr. van Renen had already resigned?—Yes, we were discussing this matter for a considerable time, and as a matter of fact what kept the matter open was the fact that Dr. Jameson was away at the time and Dr. Smartt was acting for him; Dr. Smartt advised me very strongly not to fill the appointment until Dr. Jameson returned, and of course during the time in between we were discussing as to what should be done.

8. And one of the things that you took into consideration in discussing that was that Mr. van Renen would have to resign?—That was an opinion not expressed by me but by Mr. Tooke, the Acting Under Secretary for Agriculture at the time.

9. But during your discussion of this matter that question was raised?—No, not that I remember.

10. What other document have you?—A letter from Mr. van Renen as Acting Surveyor-General, dated the 20th August, 1904, addressed to the Under Secretary for Agriculture on the question of the superannuation of officers in the Department

who had reached the age limit. I may say with regard to this letter that Mr. W. H. Horne, the Chief Clerk and Mr. Maclear, the First Clerk, had at this time got beyond the age of utility, and we then considered that a change was necessary. Attached to the above memorandum is also a return which was called for by the House of Assembly showing applications for amended title received by the Surveyor-General during the two years ended 31st December, 1904, in terms of "The Land Beacons Amendment and Extension Act, 1879."

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11. *Mr. Jagger.* Will you read the Resolution of the House?—Yes, the Resolution reads as follows:—For a Return of applications for amended title received by the Surveyor-General during the two years ended 31st December, 1904, in terms of "The Land Beacons Amendment and Extension Act, 1879"; such Return to give the name of the applicant, the situation of the land in respect of which the application was made, the date of receipt of the papers in the Surveyor-General's office, the date of the publication of the notice required by section 7 of the aforesaid Act, and the date of the issue of the amended title. In cases in which more than 14 days elapsed between the date of the receipt of the application in the Surveyor-General's office and the publication of the notice under section 7 of the Act, the cause of the delay to be briefly explained. And where more than 21 days elapsed between the date of the expiration of the period of 60 days referred to in the said section 7 of the Act, and the date of issue of the amended title, the cause of such delay to be briefly stated in each case.

12. *Mr. Mollena.* That Return was made subsequent to the appointment of Mr. Cornish-Bowden?—Yes.

13. *Mr. Maasdorp.* What period does this Return cover?—The two years 1903 and 1904.

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14. *Mr. Oliver.*] That is the period during which there were so many complaints in consequence of delays?—Yes.

15. *Mr. Malan.*] But that covers a longer period than the period for which Mr. van Renen was acting?—Yes, 1903—1904.

16. *Mr. Jagger.*] For part of that period Capt. Jurisch was Surveyor-General, and for about six months of the time Mr. van Renen was acting?—Yes.

17. When was Mr. van Renen appointed?—He acted from the 3rd May to the 2nd November, 1904.

18. *Mr. Malan.*] When did Capt. Jurisch go away?—About the 3rd May.

19. *Mr. Molteno.*] Is there anything you would wish to add to what you have stated in your memorandum?—All I wished to lay before the Committee is covered by what I said in the memorandum, and I thought it possible that the Committee might wish to examine me on points therein contained.

20. *Mr. Malan.*] Well, Mr. Fuller, I want to ask you a few questions about this matter of the delays; now, when you came into office, had you then complaints about these delays?—Yes, from attorneys.

21. When did you take office?—In February, 1904.

22. Was that the time of the boom in land?—No, I should think the boom was pretty well over then.

23. But even if the boom was over, there was a good deal of arrear work still in the office?—Yes, that might have been so, and, of course, the records of the office will show that.

24. Last year, before a similar Committee, a question was put to Mr. van Renen, No. 25, as follows: "Were there any complaints during the time you were Surveyor-General?—No, none. I may explain that after Capt. Jurisch left we had a great deal of work; the work was increased tremendously—a lot of work was given us that used to be done in the

Agricultural Department, which was assigned then to the Surveyor-General's office, and we also had at one time no less than half-a-dozen of the principal officers away sick. Capt. Jurisch, the Chief Clerk, the Clerk next to the Chief, and three other men were all away together. We consequently could not manage the work, and it got consequently slightly into arrears in some respect. That, however, could not be helped in the circumstances." Was that fact of their being short-handed, on account of several chief officers being away on sick leave, brought to your notice?—I think on one occasion—and I can tell you what happened on that occasion—Mr. van Renen came to Mr. Currey and asked for an interview with me, but Mr. Currey informed me that Mr. van Renen wanted to see me about getting additional assistance.

25. What steps did you take in consequence of that?—Of course, Mr. Currey was the Permanent Head of the Department, and naturally I conferred with him, and he was of opinion that the office was not undermanned at all.

26. And so, although Capt. Jurisch, the Chief Clerk, the Clerk next to the Chief, and three other men were away, no additional hands were given to them at all?—No.

27. So that when Mr. van Renen replied to another question last year, viz., "Did you get any special assistance during that time?" that he got "none whatever," he was perfectly right?—I should think he would be. I may, however, point out that this is a departmental matter that would hardly come before the Minister: he might ask to see me about the matter, but, of course, I would consult the Head of the Department, who would have a better knowledge even than the Surveyor-General of the requirements, because all land questions were at that time dealt with through the Agricultural Department.

28. However, you did not give Mr. van Renen an opportunity to discuss this matter with you?—I was

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—
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anxious to see him, and I remember the last time he came to my office I said to Mr. Currey that I had to go off to a Cabinet meeting, and he must tell Mr. van Renen I was sorry I could not see him personally then.

29. As a matter of fact, you did not meet him?—No, I left a few days after that; it must also be borne in mind that during this time I was very much away from my office.

30. Is it a fact that before Mr. van Renen was appointed Acting Surveyor-General there was a large number of complaints as to delays?—I think it is a fact that there has been considerable complaint always—there was a good deal of dissatisfaction on the part of the public.

31. So that you don't think that these delays became more pressing while Mr. van Renen was acting?—I don't understand that, because the delays complained of were so complained of while Mr. van Renen was still acting, and I don't think we have had any complaints of delays since his supersession.

32. No, but before he was appointed Acting Surveyor-General there were complaints—that was during the time of the boom?—Even before the boom there were complaints; as long as I can remember the Department has been regarded as unsatisfactory, both by surveyors and attorneys.

33. Do you think that Mr. van Renen really had sufficient time to prove his ability to deal with the Department during the six months that he acted?—I think he might have re-modelled it in certain respects.

34. Without the assistance of the Surveyor-General, the Chief Clerk, the Clerk next to the Chief and three other men?—Of course, he says that in his evidence, but I am not in a position to tell you that it was so. These are minor matters of detail which would not come before me as Minister, unless they are specially brought to my notice by the responsible head of my Department.

35. Would you be in a position to find out exactly whether the reply given by Mr. van Renen to question No. 25 last year was correct?—Oh, yes.

John
A. J. Fuller.

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36. And send it to us officially?—Yes.

37. I find a question put to Mr. Tooke on the question of delays last year—No. 626—as follows: "During the time Mr. van Renen was Acting Surveyor-General there were more delays than during the previous year?—I do not know that there were more; the complaints were louder, but not more numerous." Is that a fact?—Well, of course, I could not know what happened prior to my coming into office. The complaints were pretty numerous when I got into office, but you will understand my difficulty to verify what was the condition before I took office.

38. Had you an interview with Mr. Moleno, the Chairman of the Surveyors' Association?—No.

39. Who had the interview with him?—Mr. Tooke.

40. Did he communicate to you the result of that interview?—Yes.

41. What was the subject of that?—It is given in his evidence before the Committee of last year, and is quite correct.

42. As stated in question No. 699, as follows: "It was clearly to the effect that Mr. Moleno thought that Mr. van Renen's removal—that he should be superseded—undesirable?—He did not think the circumstances warranted it." That is so?—Yes; of course, I may state that my object there was to find out from the Chairman of the Surveyors' Institute as to what his opinion would be on the question of superseding Mr. van Renen.

43. Now, according to question No. 698, the result of the interview was communicated to you, which you say is correct; but did that weigh at all with you in this matter?—Of course, it would weigh with me as an opinion of such a gentleman, but it would not have the same weight with me as an opinion expressed by the Permanent Head of the Depart-

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ment, and Mr. Tooke, whom I look upon as knowing more about land matters than any other man in the country, was of a different opinion.

44. So that you would be largely guided in this matter by the opinion of Mr. Tooke?—Very largely.

45. I find from question No. 621, that Mr. Tooke stated that he never advised you to supersede Mr. van Renen?—He did very strongly, in fact, both he and Mr. Currey.

46. Mr. Tooke says in his evidence that it was only after it had been decided to supersede Mr. van Renen that he mentioned the name of Mr. Cornish Bowden. Is that correct?—That may be, or may not be; but I was very strongly advised during that period, by both Mr. Tooke and Mr. Currey that it was not advisable to give Mr. van Renen the appointment, and it was after Mr. Tooke advised me to this effect, during Mr. Currey's absence, that I asked him to confer with one of the senior surveyors. At that time I wanted to get all the guidance I could, and I conferred with others besides Mr. Molteno in the way just stated.

47. Question No. 621 reads: "That would imply that you gave your opinion as to the superseding of Mr. van Renen?—No, although it was my opinion, I did not give it in contrasting him with Mr. Bowden." So that Mr. van Reenen's supersession was already decided upon when he advised the appointment of Mr. Cornish Bowden. But Mr. Tooke, in the Minute put in by you, definitely says that Mr. van Renen should resign?—He says that he assumes that he would resign, and on the assumption, of course, that his recommendation would be carried out.

48. Quite so, but that is not quite in accordance with the evidence he gave last year before the Committee!—I am afraid Mr. Tooke is a little unreliable in his evidence, as I am informed he gets very nervous. I would not for a moment say that his statements would be misstatements, but I am told that whenever he is called upon to give evidence he gets

into a very high state of nervousness, and is liable, under such circumstances, to give himself absolutely away. Mr. Tooke is a very highly nervous man, and I am afraid he did not do himself justice.

49. That only shows the importance of having the date of that Minute, and you think you will be able to give us that date?—I will try and get it; of course, if the original document was dated, I will be able to supply the date. I think this Minute was written to me early in November, 1904, and unfortunately when the Committee sat last year, during my absence, it was locked up in my office table drawer.

50. *Mr. Jaager.*] When did Tooke get his appointment as Acting Under-Secretary for Agriculture?—October or November.

51. *Mr. Malan.*] Were you under the impression at the time that Mr. van Renen was 58 years of age?—Yes, I was under that impression.

52. And that practically he would only have two years' service before he would be retired?—Yes.

53. Did that weigh with you in coming to a decision in this matter?—In a degree, after consulting with Mr. Currey about it, but not wholly; I felt that there was a stronger reason in favour of placing a younger man at the head of the Department.

54. How did you get this opinion as to his age?—After consulting with Mr. Currey on the general question of the appointment of the Surveyor-General. He was under the impression that Mr. van Renen was 58 years of age, and I suppose he urged that as another reason for appointing a younger man, who would be stronger and more energetic, to remodel the office.

55. Did you subsequently find out that he was only 52 years of age?—Yes, from himself.

56. And was that the reason why you reconsidered your decision?—No, that had nothing to do with the matter, and Mr. van Renen knows that.

57. Did you tell him so?—Yes; he raised the question of the appointment, and of course I told

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him that the Government had come to the decision to have a younger man placed at the head of the office, in order to re-model it. The age was then mentioned, and I told him that I was under the impression that he was 58 years old.

58. You say, in your memorandum, that you suggested six months' sick leave to Mr. van Renen, because he complained of nervousness?—Yes, I went to his office to discuss the matter with him; my desire was to place his case before Parliament, and at that interview he told me that the worries that he had been subjected to had rather knocked him out, both as regards his farms which had gone back and the question of the appointment. I went straight to the Auditor-General from there, and told him that Mr. van Renen was not looking very well, as I had had an interview with him. I suggested that possibly it would be a good thing to give him leave, and the Auditor-General said it could be done. I then sent Mr. Tooke down to arrange six months' leave for him, with the object of placing his case before Parliament.

59. So that he was not correct in his evidence when he said that he was as well as ever before?—That was my impression when I saw him.

60. And that he did not suggest going on leave at all?—I don't think he suggested it, but it was from the fact of his giving me the impression that he was suffering from nervous prostration.

61. *Mr. Jagger.*] Did he complain at all?—Yes, he did.

62. To you?—Yes, otherwise what object could I have had in going to the Auditor-General, and subsequently sending Mr. Tooke to go down and arrange the matter?

63. *Mr. Malan.*] He says in his evidence that Mr. Tooke came there and said to him, "All we can do for you is to give you six months' leave"?—That is quite correct. The object was to place his case before Parliament, and to enable him to adjust his farming matters, which had got into an unsatisfac-

tory condition, besides he having suffered in consequence of the strain.

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64. Was that sick leave?—I should imagine that if a man was suffering from a nervous strain, and was not looking well, or far from well, I was quite justified in giving him leave.

65. But if you want to give a man a chance to look after his farms, you don't call that sick leave?—But when a man is really sick you would be justified in giving him six months' leave.

66. And when you want Parliament to take his case into special consideration, surely it is not necessary, for that purpose, to give him sick leave?—The impression left on my mind was that he was sick.

67. He himself said that he was not?—Supposing a man complained that he was ill, the Government can give him six months' leave, otherwise he can only get the ordinary leave of three months, on full pay; and he was given the six months so that I could place his case before Parliament while he was still in the Service. After complaining that he was ill, I take it, that we were justified to give him the leave, and also because he had complained about his farms.

68. Did Mr. van Renen discuss with you the question of re-organising his Department?—No, I would not discuss it with him, as that was a question between the Minister and the Permanent Head of the Department.

69. How then did you come to the position that Mr. van Renen would not be strong enough to re-organise the Department?—The conclusion was come to after consultation with the Permanent Head of the Department, who was of opinion that Mr. van Renen was not the right man, and I consider that he had good grounds for that view. I must say that I met Mr. van Renen on two occasions, and he certainly did not impress me as a man of decision or strength.

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70. But before taking a step which involved the supersession of the man?—I deny that he was superseded, because when Mr. Cornish Bowden got the acting appointment Mr. van Renen was not in the Service; the appointment might not have been gazetted, but he was informed by me that he would have the acting appointment, as Mr. van Renen had resigned.

71. But, according to the Minute of Mr. Tooke, the question of appointing Mr. Cornish Bowden over the head of Mr. van Renen was considered before Mr. van Renen sent in his resignation?—Of course, we had been considering the position for some months.

72. Mr. Tooke thought that Mr. van Renen would resign in his Minute to you?—It was a natural conclusion to come to. We decided that Mr. van Renen was not fit for the position of Surveyor-General, and it was natural to conclude that Mr. van Renen would resign.

73. We have it in evidence that you sent for Mr. Cornish Bowden and talked the matter over with him?—Yes.

74. Did you do the same thing with Mr. van Renen?—No; the reason was that we had come to the decision to appoint a younger man. The Prime Minister particularly wanted the man appointed who was recommended by the Permanent Head of my Department, and he wanted to gauge the capabilities of the man, and asked Mr. Bowden to come to his office. I therefore felt perfectly justified in taking him to the office of the Prime Minister, so that the latter should personally see the man who had been recommended.

75. But when you gave Mr. Cornish Bowden that opportunity, why did you not give Mr. van Renen the same opportunity?—Because we did not consider Mr. van Renen capable for the position, and that he was a fit and proper person to make Surveyor-General.

76. And you came to that conclusion without giving the man an opportunity of placing before you proof of his capability or otherwise?—We had opportunities of seeing his work, and got the advice from the responsible Heads of the Department. We shall have no difficulty in proving that he was not capable.

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77. One step at the time. You did not give him an opportunity of explaining his capacity of re-organising the Department?—Well, he was written to, at least he was consulted, by Mr. Currey, who assured me that he would not fall into line with the recommendations that he placed before him as to decentralizing the work of this Department. I don't think he ever made any recommendations of his own.

78. And as to the delays, you did not give him an opportunity of explaining the causes of those delays?—I never referred to Mr. van Renen in these matters. The complaints are made, and I send for the Permanent Head of the Department, whom I hold responsible for dealing with such matters. I referred to Mr. Currey, as I did not think it was my place to refer to Mr. van Renen.

79. But when it is a question of superseding a man on the ground of incapacity, then you don't see him?—I won't say that he was superseded on the ground of incapacity wholly. I felt that the office wanted re-modelling, and we felt that it was incumbent upon us to put the very best man at the head of the office; of course, the course of least resistance would have been to appoint Mr. van Renen, and the old order of things that you have had for the last 30 years would have gone on.

80. I don't know that you have re-organised the Department so completely: you have put additional work there and strengthened the staff, but Mr. van Renen never had an opportunity of working under the new system?—He was opposed to the new system; he was not prepared to carry it out.

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81. A man may not think a thing advisable, but when he has to carry it out, he may do his very best for it!—Yes, that may be so; but you will see that we had formed our conclusion that Mr. van Renen was not the right man; you will readily understand our difficulty in giving concrete instances which made us take this conclusion, but on the whole we decided that he was not a suitable man.

82. And therefore it is very important for this Committee to know what were the reasons that actuated you in coming to that decision?—Largely that reply of his with regard to superannuation of certain officers in the office, which is attached to the memorandum I put in. When such a man replied to you in a document of that kind, that it would take two years to fill the position of an officer who was mainly concerned with the work of amended titles, one could not help feeling that there was something very wrong in the system. Supposing that particular officer had died, would that office have had to remain in a chaotic condition for two years? According to the letter referred to, one could come to no other conclusion.

83. Was that the main reason which actuated you?—One of the reasons.

84. Did you discuss that letter with Mr. van Renen?—No.

85. So that he never had an opportunity of explaining to you the reasons for giving that opinion?—Not to me; he may have done so to Mr. Currey, and, I take it, he did.

86. Last year a similar Select Committee reported that they could not come to a final decision in this matter without having your evidence, and Mr. Cornish Bowden was then Acting Surveyor-General?—Yes.

87. Is he that still now?—No, he is Surveyor-General now.

88. When was he appointed Surveyor-General?—Only within the last few months—quite recently.

89. Of course, you had this report before you?—Yes.

90. Now, what actuated you in, so to say, going against Parliament, which had adopted this report? —I was not actuated at all in going against Parliament; I strongly advocated the appointment, and, being perfectly satisfied with the way in which Mr. Cornish Bowden had performed the work as Acting Surveyor-General, I made very strong representation that he should be appointed.

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91. But when Parliament had appointed a Select Committee to inquire into the matter, and when that Committee had brought up a tentative report on the subject?—Parliament does not run the office in the meantime; I was perfectly satisfied to leave Parliament to decide whether I had acted wisely or otherwise in making the appointment, and Parliament still has its privilege.

92. But you would not have lost by waiting a few months, until this Committee should have brought up a final report?—I had no ulterior motive.

93. But the service would not have lost anything by waiting?—No, but I did not allow the fact of the Committee sitting to interfere with what I considered my right, namely, in choosing the officer I think fit for the post.

94. It is not a question of this Committee sitting; it is a question of Parliament having adopted a tentative report, and before Parliament has an opportunity of giving a final voice in the matter you override the decision of Parliament, because it is a decision of Parliament now?—I don't think I should be affected in the slightest degree by a report which is incomplete—you still had to take my evidence—and besides, I consider this Committee has still the power to take whatever steps they may think fit with regard to the appointment I made.

95. Don't you think that, seeing the Service could not have lost anything thereby, you would have shown a little more respect to Parliament if the acting appointment had continued until after the present Session?—I considered that you were placing Mr. Cornish Bowden in a very invidious position

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by keeping him acting for the time being when I, as the Minister, was perfectly satisfied that his work of re-modelling the office had been efficiently carried out. I intended no slight upon this Committee by what I did.

96. No, not to the Committee, but to Parliament—it was a resolution of Parliament?—I feel that there is ample justification for what I did, and I feel that Parliament will endorse my action.

97. Did you investigate the qualifications of Mr. Cornish-Bowden as a surveyor?—Yes.

98. In what way?—I got the opinions of people qualified to judge; I got perhaps the best opinion in this country—I was advised by Sir David Gill.

99. . . . Cornish-Bowden gave evidence before the Committee last year, and was very frank in his statements?—Yes.

100. And from that evidence it does not appear that he has any special qualifications at all?—After all, I think that the primary question in being a successful Surveyor-General is not that of being a very efficient surveyor, but I believe this much, that Mr. Cornish-Bowden is as good a man as you will find in this country for the post, as he carries with his qualifications as a surveyor what most of the others lack, namely, the qualifications of being able to organize and administer. I say that it is better for a man in that post to have the administrative ability, because he can always get someone else to do the other part of the work.

101. Don't you think it is advisable for the Surveyor-General to have a knowledge of the country?—I think it is quite a mistake to suppose that Mr. Cornish-Bowden has no knowledge of the country, he has not been very long in the country, it is true, but he has considerable knowledge of the country.

102. We had it in evidence last year that he was engaged on railway surveys in the district of Malmesbury, and that from there he went to King William's Town, where, however, he could not do much owing to the operations of the War?—He has been

in the Transkei, and up country at Barkly East besides. With the exception of the time the late Surveyor-General spent on the Land Commission, I think Mr. Cornish-Bowden has seen more of the country than Capt. Jurisch, and knows more of the people.

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103. We have it in evidence that he was a surveyor for only a few years, and that the only country places he had been to were Malmesbury, where he was employed on railway surveys, and subsequently King William's Town, where, however, owing to the outbreak of the War, there was not much to do. Now do you consider that a sufficient knowledge of the country?—I think that when he was recommended by Capt. Jurisch, the latter must have felt that he was qualified, and they made a big effort to get him into the Department.

104. Yes, Mr. van Renen suggested his name?—And I think holds a very high opinion of his capabilities.

105. Does he know any Dutch?—He understands it, and knows quite enough for the post.

106. Has he been qualified since his appointment?—I don't think that he has, and I don't think there is much necessity for it.

107. Last year he told the Committee he did not know Dutch?—He would be able to follow a conversation; he is not a Dutch scholar, but he knows sufficient for the office of Surveyor-General.

108. He was put the question by Mr. Jagger last year whether he was qualifying in Dutch, and he answered "No." Now, is that the spirit in which a Head of a Department, who comes in contact with the Dutch-speaking population, should regard the matter?—I know that the Dutchmen, who come in contact with him, speak very well of him to me.

109. I want an answer to my question, which is whether you consider that that is the attitude the responsible Head of a Department should take up?—I consider that he has a sufficient knowledge of Dutch to efficiently work the Surveyor-General's

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Department, and should it happen that a difficulty arises where he cannot follow people, he is always able to get somebody to interpret for him.

110. Do you think he should take up the attitude: "I don't know Dutch and I don't care to know it"?—I don't know that he takes up that attitude; I think he is very anxious to learn it.

111. *Mr. Jagger.*] Do you think he is learning it?—I don't know whether he really has the time; he has very long hours, and works very late at night.

112. Could he read the old Dutch titles, because the older Deeds must be made out in Dutch?—I would not be prepared to answer that, but I daresay he would find difficulty there; he could, however, get a translation.

113. You say Mr. Currey brought to your notice the want of system and the laxity in the office?—And other people as well.

114. In what form were these matters brought to your notice—by letters and so forth?—They were made personally by men calling on me and complaining—in fact, railing at the delays with regard to the issue of amended titles.

115. But how long had those complaints gone on, since when?—As long as I have been in the office complaints have been made.

116. Under Capt. Jurisch even?—Yes.

117. And under Mr. Templer Horne?—I was not in the office then.

118. You say, of course, that you acted upon Mr. Currey's advice in the first instance?—Yes.

119. Have you any minute from Mr. Currey bearing upon the matter?—No.

120. Could you get any corroborative evidence of what Mr. Currey's views have been?—The only one I could think of is my Private Secretary, who was present at interviews with Mr. Currey on several occasions.

121. At any rate, he could give some corroborative evidence?—Yes.

122. I suppose there is no feeling between Mr. Currey and Mr. van Renen?—I don't think so. Hon.
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123. They never had a cross in any shape or form?—No. July 17, 1906.

124. Or between Mr. Tooke and Mr. van Renen?—No; I think they have very friendly feelings for him, but they were simply impressed with the question of the re-modelling of the office.

125. Now as regards one of the later questions put to you by Mr. Malan in reference to the report of a similar Committee last year which had been adopted by Parliament, I suppose you took it that the responsibility rested with you as the Minister in charge of the Department?—I felt that it was a big responsibility.

126. I mean to say in making the permanent appointment?—I felt that I was responsible for the office. I felt that if any mistake were made I would have to bear the blame, and I felt sure that Mr. Cornish-Bowden was quite capable to fill the position to advantage. After having tried him, I had every confidence in him. Of course, the appointment rests with the Minister, and if Parliament is dissatisfied with what I had done it has a course open to it. To be very candid, the point raised by Mr. Malan never occurred to me. I was travelling about with the Co-operative Expert, and I simply sent a wire to the Prime Minister, urging upon him the necessity of filling the appointment, and the question raised by Mr. Malan never occurred to me for a moment.

127. Why should it strike you on your travels?—I wanted Dr. Hutcheon appointed at the same time, and the farmers had expressed the desire that he should get the permanent appointment, and in suggesting his appointment I thought I might make the two appointments at the same time.

128. Well, now this interview that Mr. van Renen had with Dr. Jameson, was that after Mr. Cornish-Bowden had been appointed?—No; that was about the 16th or 17th of November. His resig-

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nation came in, I think, the day following the interview the Prime Minister had with Mr. Cornish-Bowden.

129. But then, of course, after that Mr. van Renen had an interview with Dr. Jameson?—Yes; he had an interview with Dr. Jameson on the 22nd November.

130. Of course, this matter of the reorganization of the Department seems to have been brought to your notice almost at the time you took office?—Yes.

131. You said you got other opinions as to Mr. Cornish-Bowden's qualifications?—Yes.

132. Did anybody else besides Sir David Gill give an opinion?—No, not outside the Permanent Heads of the Department.

133. What has Sir David Gill got to do with it?—He is a scientist, and quite qualified to express an opinion.

134. But would not Sir David Gill perhaps be a little biassed—He might know Mr. Cornish-Bowden and not Mr. van Renen?—That might be so, and I am not prepared to say that he was not; but it is hardly probable that a gentleman in his position would be biassed.

135. Did you purposely consult Sir David Gill or was it casually done?—My point was to solicit from qualified persons their opinions as to what the qualifications of the Surveyor-General should be. I was, of course, impressed by his work in the office, but I felt that I had to go further than that.

136. Have you retired Mr. Brink, who is one of the men mentioned in the memorandum?—No; Maclear was the man who particularly had to do with the amended titles, but he died since being pensioned.

137. How is the work going on now?—Very satisfactorily.

138. Much better?—Yes.

139. *Mr. Malan.*] One man or two men doing the work?—One man. I would suggest that Mr.

Murray, who acted for Mr. van Reenen whilst he was away on leave, be called to give evidence.

140. *Mr. Jagger.*] Is he in that office?—No, he is in the Deeds Office, but he is a qualified surveyor.

141. *Mr. Malan.*] On what point do you mean to call Mr. Murray?—Mr. Murray acted for Mr. van Renen, and had to do with the question of the amended titles and with the re-modelling of the office.

142. *Mr. Jagger.*] A good deal was made several times last year before the Committee about this want of assistance and about the want of an adequate staff in the office. Have you any recollection of discussing the matter with Mr. Currey?—Yes, Mr. Currey told me that Mr. van Renen had made a complaint and wanted assistance. On another occasion, on the demise of Capt. Jurisch; he also had an interview with Mr. Currey about the appointment, but we left the whole matter in abeyance then.

143. I suppose one reason why you did not give this increased assistance was because of this contemplated reorganization?—Yes.

Monday, 23rd July, 1906.

PRESENT:

Mr. OATS (Chairman.)

Mr. Jagger.

Mr. Malan.

Mr. Molteno.

Mr. Oliver.

Mr. Maasdoorp.

The Honourable Arthur John Fuller, Secretary for Agriculture, further examined.

144. *Chairman.*] When we rose on the last occasion I think Mr. Malan has just completed examining you?—Yes. I have here a memorandum with regard to the matter of the six officers

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who were supposed to be on leave during the period when the stress of work was said to have been so heavy. This memorandum shows at a glance the number of officers absent on leave during the period for which Mr. van Renen acted, viz., 3rd May, 1904, to 15th December, 1904, also for the purposes of comparison a similar return for the period January to July, 1905, during which Mr. Cornish-Bowden first acted as Surveyor-General and also for the six months January to June, 1906, since his confirmation in the post. [Memorandum put in—see Appendix.] Perhaps it is as well that I should explain that after the reorganization of that branch of the department had taken place we also had to consider the reorganization of the head office. We thought that while Mr. Currey was a very excellent officer as an officer he did not come into touch with the farmers, and that he did not inspire confidence in that respect. We had every confidence in his ability, and we looked upon him as a very able officer, but he failed in that respect, and we felt that the farmers wanted somebody with whom they could deal more confidently. Our intention then was to put Dr. Hutcheon in Mr. Currey's place, because we felt he would be able to deal with the agricultural problems with which we were faced better than Mr. Currey, who, as I have said, was somewhat diffident about coming into contact with the farmers.

145. *Mr. Malan.*] I understand from Mr. Currey's evidence that the main reason for preferring Mr. Cornish-Bowden over Mr. van Renen was that he was a better official; is that so?—Yes.

146. And yet here when you subsequently reorganized the Agricultural Department, you oust the man whom you consider a competent official because he is not sufficiently in touch with the farmers?—Is that question supposed to be a puzzle?

147. That is what you said?—I have given you my reason why.

148. *Mr. Molleno.* You have I suppose carefully read the evidence given last year?—Yes.

149. Did you ever comment on Mr. van Renen's work?—You mean in the office? Yes, I did.

150. Did you ever communicate with him?—No, never.

151. He has stated that "he never received any complaint"?—I never communicated with him.

152. You never had an interview with Mr. van Renen after you became Minister with regard to the reorganization of his office?—No.

153. Do you know as a matter of fact that on several occasions he went to your office to discuss the matter with you?—No. I am not aware that he ever went to see me on the question of re-organisation.

154. You have had your attention called to that part of his evidence where he states that he made application to have an interview with you many times through the head of his Department?—On only one occasion was it intimated to me that Mr. Van Renen wanted to see me.

155. As a matter of fact from the time you became Minister until before his supersession as acting Surveyor-General you had no interview with him?—Yes, I had.

156. He says in his evidence that only once did he meet you at all after your accession to office and that was when he was called in to attend upon a deputation which waited upon you?—Yes, that is quite true he did see me then but he met me after that also.

157. After you had decided to supersede him?—Yes.

158. You have stated that before you appointed Mr. Cornish-Bowden you had seen him about a dozen times?—It may be about that, I had never met him previous to taking office.

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159. You say in your memorandum " Mr. Bowden was a perfect stranger to me up to the time that I accepted office and I had only come into contact with him about a dozen times since that " ?—Yes, that is so.

160. Do you know that Mr. van Renen says that you sent for Mr. Bowden who was his inferior officer to discuss the question of the reorganization of the Surveyor-General's office with him instead of sending for Mr. van Renen?—No, I did not send for Mr. Cornish-Bowden for that purpose at all.

161. For what purpose did you send for him then?—I sent for him with the object of taking him to the Prime Minister as a man whom the office had selected as a proper person to succeed Captain Jurisch.

162. That was after you determined to supersede Mr. Van Renen when you sent for Mr. Cornish-Bowden?—I have no recollection of having sent for Mr. Cornish-Bowden to discuss this question except on that occasion.

163. *Mr. Malan.*] In what way did you come into contact with Mr. Cornish-Bowden seeing that he was not the head of the department?—This very deputation that met me when Mr. van Renen was present and which I referred to just now met me a second time and on that occasion Mr. Cornish-Bowden represented the office. That was how I came into contact with him and I was very much struck with the grasp he seemed to have of the matter then under discussion. That was really the first occasion that I came into touch with him that I can remember.

164. Was that the only occasion?—On many other occasions he was sent up from the office on matters of title, but of those occasions I have no distinct recollection ; I have a faint recollection of having met him in the office on several occasions.

165. And not Mr. van Renen?—No, he was sent up by Mr. van Renen.

166. *Mr. Jagger.*] The point is when you sent down for information to the Surveyor-General's office did they send up Mr. Cornish-Bowden or did you send for him?—On this occasion when the deputation was at my office, I did not send for him, he was sent up by the office.

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167. But on other occasions what was the general rule?—I came more in contact with him than with Mr. van Renen, but I never sent for either of them. For instance when these deputations took place the particular representative who dealt with the subject was sent by the office. I never made any demand for Mr. Bowden.

168. *Mr. Molteno.*] You know that Mr. van Renen had an interview with Dr. Jameson?—Yes.

169. After he had seen him, you sent for him and saw him?—Yes.

170. Did you then tell him that neither you nor the Ministers had a word against him but that you had been told by Mr. Currey that he was 58 years of age?—Yes.

171. Your only objection to him was on account of his age?—No, I went further than that. I said we wanted a younger man to re-organize the office which had got into disrepute.

172. Did you tell him that Mr. Currey told you that Mr. van Renen was 58 years of age?—I told him I had that impression. I do not know whether I told him that Mr. Currey had told me.

173. He told you he was only 52?—Yes.

174. Did that make any impression on your mind?—No, my reply to him was that that would not make any difference, as we had determined to re-organize the office, and that I felt that we wanted a man to re-organize who had not been too long in the office. That is what I felt.

175. At the examination, when you were away, a great point was made in many of the questions asked witnesses that Mr. Cornish-Bowden had not been actually appointed Surveyor-General, but was only acting in that capacity?—Yes.

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176. That implied that the Department felt the matter was still entirely open?—He had been appointed to act.

177. Yes, but not permanently?—That is so.

178. Take question 78 put by Mr. Jagger, "As a matter of fact he has not been appointed?" You have given your reason. Although you knew this Committee was sitting and, as far as this Committee and the House were concerned, the appointment of Mr. Cornish-Bowden was *sub judice*, you say you considered you were quite prepared to take the responsibility, whatever the finding of the Committee or Parliament might be on the question?—I felt that I was responsible for the good government of the office, and that my justification for making this appointment permanent would be apparent to the Committee.

179. You knew the Prime Minister and Parliament had handed over the question of this appointment, which was an acting one, to the adjudication of a Committee of the House?—I knew they had handed over the question of the alleged supersession of Mr. van Renen to a Committee of the House.

180. Mr. van Renen says that he felt his position when he failed to obtain an interview with yourself?—Yes.

181. Question 119 put by the Chairman reads "Did it not occur to you that that was treating the the office and you very lightly?"—I felt it very much, and went not less than half a dozen times to try and see Mr. Fuller." Question 120 reads "On official business?"—"Yes, with regard to the office, to tell him how things were going; I thought he ought to know." Question 121 reads "Do you hold that you had no official interview with the Minister during that time?"—"Yes." And Question 122 reads "What interviews had you with the Under Secretary for Agriculture?"—"The only interviews I had were with regard to the reduction of the estimates." Do you not think that the Head

of a Department ought to have had some interview to see something of the head of this Department?—I think that if what he said were true that he had every right to demand an appointment, but I deny those facts entirely.

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182. *Chairman.*] You deny that application for an interview was ever made to you?—I admit it on one and one occasion only. A request was made to me one day to see Mr. van Renen just when I was on the point of attending a Cabinet Meeting, and my reply to Mr. Currey was to the effect that I should be very pleased to see him. That was the only occasion that a representation of that kind was brought to my notice.

183. *Mr. Molleno.* Here is a question put by the Chairman, numbered 129. "It would be very interesting to know what time the change took place: you had no personal interviews either with the Agricultural Minister or the Under Secretary up to the time Mr. Currey went away, excepting the one case, the deputation occasion and the other reduction interview." And his answer is "No." You have also read the evidence given by Mr. Currey and Mr. Tooke?—Yes.

184. And they both disclaim any responsibility for the appointment of Mr. Cornish-Bowden over the head of Mr. van Renen?—It is a very astonishing thing to me.

185. *Mr. Malan.*] Have you got the date of this memorandum by Mr. Tooke which you refer to in your memorandum?—No, I have the original here, but it does not give the date.

186. *Mr. Molleno.*] You know of course that Mr. van Renen had as a matter of fact discussed the unsatisfactory condition of the Surveyor-General's Office with your permanent head, Mr. Currey?—I know it now through reading the evidence.

187. You see what Mr. Currey said in question 372 in answer to Mr. Malan on this same subject. "Yes, he referred to the state of the work in the office. He considered matters were not satisfactory."

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Did Mr. van Renen call on you with reference to that unsatisfactory state of affairs? You see Mr. Currey did not call for Mr. van Renen's views with regard to the unsatisfactory condition of the office?—I have no recollection of his having done so.

188. The next question is "Did he ask for an interview with the Minister on those points?" And the answer was "I think he did ask once whether I would mind his seeing the Minister. Of course I said no. The Minister is always ready to see anybody"?—Yes.

189. You know that the complaint had been made with regard to delays in this office during Mr. Horne's time?—Yes.

190. And during Captain Jurisch's time?—Yes, in fact, for all time.

191. The question put to Mr. Currey, No. 375, was—"Were there at the time, as a matter of fact, complaints as to delays in the Surveyor-General's Department?" and the answer was, "Unfortunately, complaints have been numerous, both before and during this time. This was owing to a block of work." You knew that in the early part of 1904 there was a great block of work in the Land Department of the country owing to the boom?—Yes, there was a block caused to great extent by the fact of having two or three very fossilized men running certain branches of the office.

192. You do not know that the greater volume of work was being done than that in previous years?—Yes, but the boom would make absolutely no difference with reference to amended titles in connection with which there were all these complaints, and I am not sure that this boom really existed, as far as the Surveyor-General's Office was concerned.

193. You knew that his office was not a permanent one—that he was only acting?—Yes.

194. And you would not expect that a man who was acting would take as active a part in the

work of re-organising the office as he would if he were permanent?—Certainly not.

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195. In question 379 Mr. Malan asks, "During that time had you any kind of complaint of the administration by Mr. van Renen more than about that of his predecessor or anyone else," and his answer is "I cannot call to mind any special complaints or ground of complaints during Mr. van Renen's period of office, but I do remember complaints of delays. These were also made before the time Mr. van Renen was responsible. The feeling was that the office was not quite satisfactory." And in question 380 in answer to Mr. Malan who asks "Was there any complaint against him"? he says "I do not know of any against him personally, the general state of the office had been called in question mainly on account of delays in the work." And in the next question when asked "Since the Land boom," he replies "Yes I suppose there was a great pressure of work and that this office felt the strain"—I wish to impress this point very strongly on the Committee. I maintain that the boom had nothing whatever to do with that portion of the work. I say that a land boom need not necessitate the slightest increase of work in regard to amended titles, and the delay in connection with the amended titles was what the public took the greatest exception to.

196. Then do you say that Mr. Currey had nothing to do, or had he anything to do with the recommendation with regard to the superseding of Mr. van Renen?—I think he had everything to do with it.

197. You know that he says he had nothing to do with it?—I think I had better perhaps give you a reply in detail upon this point. I say he had everything to do with the changes, but I do not say that he impressed me that Mr. Bowden was the man to succeed him. The main point upon which he was so strong was that it was

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necessary that Mr. van Renen should not get the permanent appointment of Surveyor-General.

198. In question 470 in answer to the Chairman who asks "Some of the members of the Committee are prepared to take it for granted you did recommend him for the post. I did not hear you say so: was it actually put to you and you recommended Mr. Bowden?" he says "No"; and the next question is: "It was not put to you in that way?" and he replies "No, never"; and the next question is: "You did not actually recommend Mr. Bowden?" and his answer is: "No. I never made an actual recommendation. I was never asked to do so. The names of several individuals were discussed, but I never made any actual recommendation"—He recommended Mr. Hall for the position.

199. You have read Mr. Tooke's evidence also?
—Yes.

200. In answer to question 541, which reads: "Can you give the Committee the circumstances under which Mr. Bowden was appointed Acting Surveyor-General in place of Mr. van Renen?" he says: "I cannot say very much from my own knowledge because the matter was carried on by the Minister; the Minister interviewed the parties concerned. I was not present; I merely carried out instructions. One of my instructions were to interview Mr. Frank Molteno, who was supposed to represent the professional opinion of the surveyors in the town. I saw him, and by desire put the case to him as to whether the Survey Office required altering and whether, under the circumstances, they would recommend that Mr. van Renen be suspended and a more energetic man put in his place. And Mr. Frank Molteno, as far as I could gather, saw a good deal to be desired in the Surveyor's Office, but did not think it was a case necessitating the supersession of Mr. van Renen. I conveyed that to Mr. Fuller." You see both officers apparently say that this appointment of

Mr. Bowden was a matter arranged by the Minister?—Yes.

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201. As a matter of fact, you knew Mr. Frank Molteno had been for 10 years a Registry Surveyor of the Colony?—Yes.

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202. And he has been practising for some years on his own account?—Yes.

203. And he was president of the Surveyors' Institute?—Yes.

204. Mr. Jagger put this question to Mr. Tooke (Question 564): "Had any complaints come to your knowledge when acting about the administration of Mr. van Renen's office?—We had complaints while he was acting; we had complaints before." Then to question 567: "Were there more when Mr. van Renen had the administration than previously," he replies "I do not say that; I should say stronger representations were made." And to the next question which reads "Was that due to special circumstances and the land boom," he replies "Yes, owing to Captain Jurisch being away; the office was not fully manned." And then in question 572: "He made several representations as to the office being short-handed; do you remember that?—Yes, I think he asked for additional assistance, which was given to him." And then in question 581. Mr. Jagger asks him: "When he left did the Minister have a discussion with you about appointing a Surveyor-General?" and he replies "He never discussed the question of Mr. van Renen's supersession." So that we have both your permanent officers making no special complaint and, further, Mr. Tooke says he never discussed the question of Mr. van Renen's supersession?—Yes, I see he says that.

205. Then Mr. Jagger asks him "Then you support the conclusion of the Minister in that direction" (question No. 585) and he replies "Yes, assuming that Mr. van Renen was to be superseded I think Mr. Bowden was the best appointment; I

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did not want to go into that and it was not put before me." Then there is this further question (No. 587) "What do you mean by that" and his answer is "The Minister told me it was absolutely decided to supersede Mr. van Renen; my opinion was not asked on it and I could not give it; I merely gave my opinion on Mr. Bowden's qualifications"—Yes; but then there is Mr. Tooke's memorandum which I have put in on this subject.

206. Have you got the date when the memorandum was written?—I know the date approximately; and I can bring evidence to show when it was submitted.

207. Where is Mr. Tooke now?—He is in Grahamstown.

208. You have read the evidence of other people, such as Mr. Horne, the late Surveyor-General?—Yes.

209. He was very well pleased with Mr. van Renen, and speaks highly of him?—Yes.

210. The only other witness we examined was Sir Lewis Michell, who could give us no information?—Yes.

211. *Mr. Jagger.*] You say in your statement that these complaints had been brought to you both in office and out of office. By whom were they brought?—Principally by attorneys.

212. Did they go to your office?—Yes. The last complaint that I have a vivid recollection of was brought by a member of the House.

213. Why did you not send for van Renen and remonstrate with him on the spot?—I sent for the man whom I looked upon as the responsible man and that was the head of the department, who was Mr. van Renen's superior. I never had any communication or sent for any subordinates. On most of these occasions I told Mr. Currey that such a serious state of things must discontinue.

214. You discussed such matters with Mr. Currey?—Yes.

215. It seems a very great pity that you did not send for Mr. van Renen and talk to him about it direct?—I simply referred the matter to Mr. Currey and looked to him to see that things got better. He had the control of the office; he was the permanent head.

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216. With reference to these interviews which Mr. van Renen stated he endeavoured to obtain with you. Your recollection is that it was only brought to your notice once?—Only on one occasion, as far as I can remember, when Mr. Currey said he wanted to see me.

217. When you took Bowden up to Dr. Jameson I suppose that was to let him see Bowden in order that he could form some idea about him?—We had made up our minds that we were going to appoint him, on the recommendations of the heads of the departments. Dr. Jameson wanted to see this man whom I had recommended on the recommendation of the heads of the department and I took him up. Dr. Jameson simply discussed general matters with him and never discussed the matter of van Renen at all. He simply wanted to get an idea of the capabilities of this man.

218. Did you say anything to Bowden about being appointed?—No.

219. Did he know anything about it?—I think he had his suspicions about it, but I do not think he had any definite information about it at that time.

220. He had no information—either official or in any other way?—No; I have no recollection of it.

221. You had the impression from the public generally that the office was being conducted unsatisfactorily?—Yes, we had some difficulty with Mr. Bowden about that time, because he was very loyal to Mr. van Renen, and absolutely refused to give us any information, and of course we in a way recognised that he was doing the right thing. These complaints were made, but he refused to give his chief away and we could get very little

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information out of him; he requested that he should not be asked to give any information.

222. To whom did he make that request?—To me in the presence of Mr. Tooke.

223. Where was that—at Dr. Jameson's office?—No, in my office.

224. Then Mr. Currey must have sent for him to discuss matters?—Yes, I suppose he had.

225. You came to the conclusion as a result of all this that reorganization was necessary?—Yes, we felt that very strongly.

226. Was that also done with a view to economy?—Yes, we had that in view as well.

227. You also as a matter of fact put the Lands branch in that office with a view to economy?—Yes, and greater efficiency.

228. And did it lead to economy?—No, it hardly led to much economy but it led to greater efficiency. We are spending about the same now on that branch as then; I think there is a saving of about £300.

229. It was more a matter of efficiency than economy?—A matter of efficiency.

230. Mr. Currey had conveyed the impression that van Renen was not the man for the position?—Yes; he was always very strong towards impressing me with the fact that van Renen was a good surveyor, but had not a good organizing or administering ability.

231. Did he convey that opinion immediately on your entering office?—Well, I should not be prepared to say that, because this matter was not discussed immediately we got into office; it was only after all these complaints that I discussed the matter, and then I heard many rumours about the office; in fact, I heard that it was always in a chaotic state—there was no discipline, and the office was very badly conducted.

232. It is evident from the memorandum that Mr. Currey drew up a plan of reorganization of the office?—Yes.

233. It is further evident that he sent for Mr. van Renen to discuss the matter with him?—I was not present when it took place, but he told me of it and he also told me that he could not get Mr. van Renen to agree in any particular.

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234. Of course that would influence him?—Yes, I think that influenced him very largely in the decision he came to.

235. And it was really necessary to carry out this reorganization?—Yes. We were having constant complaints and we felt it was essential that something should be done to remedy the state of affairs which then existed. This scheme was to expedite things. We knew that some of the senior officers had got beyond that state of utility for the efficient discharge of the work and that it was time some young men should be put into their places. When we made recommendations that they should be superannuated, we found Mr. van Renen would not meet us.

236. Now, as a matter of fact do not you yourself, as a rule, have interviews with these sub-chiefs; such, for example, as the seab inspector and Mr. Pillans?—Yes, frequently.

237. It seems strange then that you did not have interviews with Mr. van Renen?—The reason of that was this; I know nothing about the science of surveying and so forth; but with Mr. Pillans and these other men I could meet them and adjudicate, because they dealt with subjects of which I know something. But with such work as the Surveyor-General's Office I felt it was far safer to leave that in the hands of the permanent Heads of the departments.

238. *Mr. Malan.* Would you not also leave the matter of the organization of the office in the same hands?—We did agree upon that when I had agreed with Mr. Currey that it was necessary to reorganize, in fact the idea of reorganization was not wholly Mr. Currey's, the inception of the scheme came generally from myself.

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I felt that all this circumvolution could be avoided; matters first to go to the Agricultural Department then on to the Surveyor-General's Office, then back again to the Department and so on, was not necessary and this was the reason for much of the delay; I thought it was absurd that all these different matters should not go to the office direct.

239. You did not discuss that matter with Mr. van Renen at all; you did not discuss these technical matters with him?—Not after Mr. Currey had told me that he had refused to carry it out.

240. *Mr. Maasdorp.*] The acting appointment of Mr. van Renen ceased on the 2nd November, 1904?—On the 2nd or 3rd November.

241. Bowden was not appointed until the 16th or 17th, to act from the 15th?—Yes.

242. During the period from the 2nd to the 15th was there any person at the head of that department?—Yes, the official head who would be recognised would, of course, be van Renen.

243. But his acting appointment had ceased?—Yes, but he was still recognized as the official head until his supersession.

244. As to his signatures to documents during that time, what would be his status legally?—I should not like to answer that question because I am not a lawyer.

245. I ask the question because I want to find out whether there was not neglect as regards this office for which Mr. van Renen was in no way responsible? Now does it not appear like neglect to leave the office from the 2nd November to the 19th December without a legal head?—It was not left for that period because Bowden was verbally informed on the 16th November that he was to act from that day. Van Renen's resignation came in on the 19th and then we had already intimated to Bowden that he was to act.

246. The point I want to make is this : from the 3rd November to the 15th there was no legal head of that department, and van Renen was not legally entitled to be there signing documents as Surveyor-General. What is the position as regards that ?—You mean the legal position ?

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247. Yes, as to the legality of these documents that had been signed ?—I should not like to say what it is.

248. Supposing the legality of any of these documents is disputed, what would be the position ?—That is a question for a lawyer to answer.

249. Then does it not look like neglect elsewhere to have van Renen in this office from the 2nd November to the 15th December ?—It did not strike me then, this question of the legality of the appointment.

250. Jurisch died in August ?—Yes.

251. Nearly three months elapsed before any action was taken with reference to the appointment of a successor ?—No that is not so. During that time a good deal of action was taken : we were discussing the matter during the whole of that time. We were constantly discussing the question in the Cabinet, but we came to the conclusion that it was better to wait until Dr. Jameson (who was away at the time) returned before filling the appointment. We were not quite agreed as to what should be done. Some of us held the opinion that we should get the very best man procurable outside. Certain men were recommended so that it was really due to waiting for Dr. Jameson's return that the delay occurred. We did not want to be in too great a hurry because we were convinced that it was necessary that a good man should be there, and we were quite satisfied that the Surveyor-General's office wanted remodelling. During the whole of that time not a week passed when we did not discuss it ; it was a very difficult matter to decide hurriedly.

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252. Had you any special Cabinet meetings with reference to this matter?—Yes, we had several.

253. It did not occur to you at the time that it would be no more than right and just and courteous to interview the man who was at the time at the head of this office as to what and why the condition was such as it was?—No, it did not. Of course we had the opinion of the head of the department and the opinion of the head of the Lands branch—Mr. Tooke—and we felt that having the opinion of those two gentlemen we had got all the light that was needed on the subject under discussion.

254. Was it not rather perhaps that you had made up your mind to a certain course of action, and that you ignored him?—No, we did not make up our minds to any line of action, although Messrs. Currey and Tooke both strongly recommended the supersession of Mr. van Renen. Really the only question hinged round two names—those were Mr. Hall and Mr. Bowden.

255. You have seen the report of the Committee of last session. The Committee came to a certain conclusion after taking certain evidence. Do you think they came to a just conclusion?—I think the Committee were very just on the evidence they took.

256. And the evidence of Messrs. Currey and Tooke do not agree with the statement you have made?—I think the evidence of both Currey and Tooke to that Committee were very misleading.

257. Which would be the proper frame of mind for them, when they made their statements before the Committee or when they made their statement to you?—I should say they were in quite an abnormal state of mind when they gave evidence before the Committee last year.

258. Which would you accept as the better evidence?—That is a rather difficult question for me to answer.

259. I want to find out whether you endeavoured to get the same evidence as the Committee?—I think from my knowledge of Mr. Tooke that he is a very nervous man, and that his evidence for that reason might not be absolutely reliable.

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260. *Mr. Malan.* How would you explain it if he did not remember having given you a written document?—I should have said it was a lapse of memory. These documents were in my drawer and were locked away.

261. *Mr. Maasdorp.* Captain Jurisch recommended van Renen?—Yes.

262. And Mr. Horne in his evidence speaks very highly of him?—Yes, but you must understand that the office was in rather a chaotic state during the periods when both those gentlemen held office. These complaints were of very old standing.

263. Then it was not specially during van Renen's time?—No.

264. In that you agree with Messrs. Currey & Tooke?—Yes, absolutely.

265. That the complaints were not a very recent thing?—Yes. We know that the office had got more or less into disrepute with the public. Discussion was continually taking place wherever we met with the public in regard to this point, and we felt we wanted a man who would remedy this. In our opinion we selected the right man and I think we have been justified in our selection. Of course he is in a very unsatisfactory position now; van Renen of course never speaks to him, but Bowden still has that loyalty to his old chief just as formerly. I think, however, that the time has come when it is necessary to remedy this one way or the other.

266. You had to ascertain what the outside surveyors thought of the matter?—My own opinion was, at the time, very strongly in favour of asking Mr. Molteno, whom I know to be a very good man to accept the post. We even discussed the matter, but I was led to understand that if the

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appointment had been offered to him he was not prepared to accept it. Our object was to get the very best man procurable having come to the conclusion that Mr. van Renen in our opinion did not possess the necessary powers of organization and administration.

267. Of course, it comes to the question whether you treated the man in such a way as his position deserved. At the time when you decided upon reorganization and you did not consider the man fit to carry it out would it not have been the right thing to have consulted with the man in some way in order to ascertain what his feelings were?—He was consulted.

268. Not by you?—No, but by the head of the department, who had been instructed to carry out this reorganisation scheme; but when I was told that he absolutely refused to carry out the scheme, I saw no necessity for seeing him.

269. To such an important post as this—one of the principal ones in the service—would you not have tried to see the man?—There is much evidence that I cannot give the Committee on this subject with regard to the office generally. I cannot make use of it because it is hearsay, but one must form conclusions on a man's ability to demand discipline in the office from the facts which one gets. I do think now that after these representations were made to me, it was perhaps an oversight that I did not see Mr. van Renen, but only on one occasion was I told that he was anxious to see me, and certainly if those representations have been made in regard to seeing me which he alleges, I think he would have some justification for complaining.

270. Was it not rather a question that you should see him?—Perhaps that may be so.

271. I should say the man would expect to come into contact with the Minister. What you have said to the Committee does not altogether agree with the evidence of Currey and Tooke; you have

considered the evidence of these two and come to certain conclusions but the conclusions the Committee came to are not the same as yours? You say the boom was not the cause of the delay—how do you account for that?—The boom would necessitate a good deal of work in the Deeds Office, but it would not necessitate any extra amount in the head office of the Surveyor-General. In fact these booms have the opposite effect on the Surveyor-General's Office and the work diminishes instead of increasing. The work is rather transferred to the Deeds Office and Mr. Murray I think will be able to bear me out in that.

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272. What you say does not agree with what they say?—I think they were talking of the office generally. I have in my mind the main reasons for the disrepute into which the office had fallen, and this was attributable to the delays in the amended titles of which the attorneys complained to me about; that was the cause I had in my mind and they might have had the general cause, including the Deeds Office, in their minds.

273. You say you have had complaints made with regard to the question of discipline; they do not speak of that?—I had heard of a great laxity of discipline. I heard of many questionable scenes that were not brought to me in a public way but which I had opportunities of hearing.

274. Currey and Tooke do not speak of them?—Of course if there had been laxity of discipline they would be responsible.

275. When you came into the office there were very grave complaints against the Agricultural Department generally?—Yes.

276. And you were anxious to reorganise it?—Yes.

277. Is it not perhaps the fact that in your great desire to reorganise, you began at the wrong branch?—No. I recognised that Mr. Currey was a very able official. I say the reason why the office had come into disrepute was due more to

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Mr. Currey's inability to meet the farmer, than to his inability to control the office. I think his ability is unimpeachable, but in matters of detail he was one who did not inspire that confidence in the farmers which could only bring about a better state of affairs.

278. As regards the complaints with reference to the Surveyor-General's Office, do not you rather exaggerate this state of chaos because that department is one which comes very closely into contact with the public and the public are naturally inclined to grumble?—I should like to refer you to my statement on that point, with regard to the delays.

279. Our evidence does not point to these delays?—There is a published list of delays which shows them to be of a very serious nature.

280. Mr. Currey and Mr. Tooke did not seem to think they were serious?—Well we have no complaints now. I have had no complaints.

281. *Mr. Malan.*] There is very little work now compared to then?—There is the average amount still being done. I would again refer you to my return.

282. But the average amount of work done now would be much smaller than the average amount done then?—That may be so but it must be remembered that the delay was in connection with the amended titles and van Renen was responsible for that.

283. The man who had charge of the Amended Titles Branch was Mr. Maclear?—Yes, acting directly under Mr. van Renen.

284. And he has since died?—Yes. He was one of those we wanted to pension, recognising that he did not work with alacrity.

285. So that the delay was really due to the late Mr. Maclear?—No, I think it was generally owing to van Renen. Mr. Murray was in the office, acting for Mr. van Renen when on leave, and Murray had some difficulty in getting van Renen

to adopt certain suggestions that would expedite the work in connection with amended titles.

286. *Mr. Molleno.* When the appointment was made, you carefully consulted Mr. Bosman with regard to his branch of the work, because you did not want to hurt his feelings by putting somebody over him?—He is a very eminent official.

287. And it was specially ordered that he should have charge of one section?—Yes.

288. His feelings were carefully considered?—Yes.

289. You say in making this appointment you consulted Sir David Gill?—Yes.

290. Was that in connection with the topographical survey of the Colony?—No; it was simply with regard to the office generally.

291. Well, but what did he know about the office?—I merely wanted his opinion with regard to Bowden, as he was a man with whom Sir David had come a good deal into contact.

292. Did he meet him?—Yes, on several occasions.

293. Did he meet Mr. van Renen?—Yes.

294. Did he know of Mr. van Renen's long and distinguished services in Bechuanaland, Griqualand East and elsewhere?—I am not sure of that. I never placed the question of service before him. I merely asked his opinion of Bowden as a fit and proper person for the office.

295. Mr. Currey made a point of this: that as we were going to undertake a topographical survey of the Colony that Mr. Bowden would be a better man than Mr. van Renen, and then it was pointed out that Mr. van Renen had been working all his life in that branch of surveys, and that from that point of view his argument would not hold water?—I do not think there was anybody who wished to detract from Mr. van Renen as a surveyor, but I think that is the least important part of that office. I say you must have a man who, while being a

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good surveyor, must also be highly efficient in organising and administrative abilities.

296. And you say he was merely a good surveyor?—Surely a good man who had an opportunity of bringing about a betterment in his department would take advantage of it, particularly when we were prepared to help him?

Friday, 27th July, 1906.

PRESENT :

Mr. OATS (Chairman).

Mr. Jagger.

Mr. Oliver.

Mr. Molteno.

Mr. Malan.

Mr. Maasdorp.

The Honourable Arthur John Fuller, Secretary for Agriculture. further examined.

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297. *Mr. Maasdorp.*] I believe when you broke off your evidence the other day, I had elicited from you the fact that your evidence and the evidence given by Mr. Currey and Mr. Tooke did not agree in regard to the want of discipline and so on in the office?—I should like to know on what particular point you mean?

298. There is the point I mention of the want of discipline; you most distinctly said there was this want of discipline in the office. Then you say that the boom in land at the time had nothing to do with the delays in the office, and Mr. Currey and Mr. Tooke both said that the land boom must have had something to do with those delays. You speak further of the disorganization of the office, which you put down to Mr. van Renen, while Mr. Currey and Mr. Tooke do not put it down to Mr. van Renen specially?—With regard to the disorganization of the department, I don't think I put the want of

discipline down wholly to Mr. van Renen. What I wished to convey to the Committee was that when I took office I found the department in an unsatisfactory condition. The office did not satisfy the wants of the public, and I felt after making inquiries that Mr. van Renen was not the man who would put the office on a basis which would be entirely satisfactory to the Service or to the public generally. When I gave my evidence I wanted to leave the impression upon this Committee that both in my own opinion and in the opinion of the public the office wanted re-modelling. It must be remembered that before I took office I had sometimes to deal with land matters which brought me in contact with the Surveyor-General's office, and then things were unsatisfactory.

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299. This disorganization was of long standing?—Yes.

300. Of course, then you don't put it specially down to Mr. van Renen that the office was brought into that condition as you found it?—No, but we tried to help him out of the difficulty by making suggestions to him; these suggestions, however, he would not accept.

301. Did you make those suggestions?—No, they were conveyed by the Head of the Department, whose duty it was after consulting with me.

302. Don't you think it would have carried more weight if you had made those suggestions yourself?—Suggestions of that kind would always be made through the Permanent Head of the Department, whose duty it is to carry out the instructions of the Minister.

303. *Mr. Malan.*] Who would do that now in your office?—The Director of Agriculture in his branch, and the heads of other Departments in their branches, since re-organization.

304. *Mr. Maasdorp.*] Mr. Currey and Mr. Tooke have both been retired from the Service?—Yes.

305. Was that also done on account of the disorganized condition of the Agricultural Depart-

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ment?—No, not at all; they were pensioned owing to the re-organization of the Department. We felt, I may say, that Mr. Currey was not in touch with the farming community in the country, and that he would not be able to bring himself into that touch with those people which we considered was very necessary in the case of a Permanent Head controlling such an important Department as the Agricultural Department. Otherwise, Mr. Currey was an extremely good officer.

306. And as regards Mr. Tooke, what was your object in retiring him from the Service?—Owing to the re-organization of the Department, which involved the decentralisation of land matters, of which branch Mr. Tooke was practically the head, and the placing of that branch of the work entirely in the hands of the Surveyor-General, it was found to be the best course to retire Mr. Tooke.

307. Did both Mr. Currey and Mr. Tooke retire on pension?—Yes.

308. From the evidence which you gave, it appears that you were anxious to meet Mr. van Renen in a certain direction, and suggested as a way out of the difficult position that he should take leave?—Yes.

309. And that you say was done with the object of getting some consideration for him through Parliament?—Yes.

310. You thought him deserving of some consideration?—I would not say that quite.

311. If he retires from the Service, would he retire on pension?—He would not be entitled to a pension, and my object in cancelling his resignation after I had seen him was to be in a position of placing his case before Parliament with the idea of getting him a gratuity.

312. And you would not do that unless you considered that the man was deserving some consideration, and by that you practically acknowledged that you had treated him hardly?—No; my desire

was solely the efficiency of the Service, and I did what I did purely on that ground.

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313. That is quite another matter; the efficiency of the Service required certain steps to be taken, but this man was really not himself guilty of having brought the office into that state which called for those steps to be taken, and which involved his retirement!—No, he was not responsible, but I did not consider that he was the proper man to carry out reforms which, in my opinion, were urgently needed. July 27, 1906.

314. But still you seemed to acknowledge the fact that the man was entitled to some consideration, judging from the overtures which you made to him?—You must clearly understand how that was brought about: Mr. van Renen's resignation was in our hands; he made an appeal to the Prime Minister, pointing out to Dr. Jameson the hardship that would be entailed upon him if he had to retire from the Service under the Regulations, under which he would not be entitled to any pension. I was not present at his interview with the Prime Minister, but the latter suggested to me that we should try and meet Mr. van Renen. Upon that I called upon Mr. van Renen, personally, and he presented his case to me; he informed me that if he were to leave the Service in this manner it would be a hardship upon him; he also stated to me that his own farming affairs had got into a very bad condition, and that he himself had suffered owing to the strain that had been placed upon him. Well, when he appealed to me and put his case to me in that way I immediately went to the Auditor-General and informed him of the statement made to me by Mr. van Renen, and asked him whether he could suggest any way in which we could meet Mr. van Renen. I informed the Auditor-General that Mr. van Renen appeared to be suffering, and he then suggested the leave. I went to my office and sent Mr. Tooke to make the suggestion to Mr. van Renen. Of course, all this

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was done in the belief that Mr. van Renen was indisposed and on the assumption that he would produce a medical certificate, because naturally without such certificate he could not get the six months' leave. I understood the position to be that Mr. van Renen was perfectly prepared to be met, and he only changed his attitude after his resignation had been cancelled. I consider that he played a most treacherous game—that is the opinion I have formed on his conduct. He knew that my object was to meet him on the express desire of the Prime Minister, and to do it in a way which would enable us to place his case before Parliament. Before his resignation was cancelled he pleaded to us in a very abject manner, and after the cancellation he changed the position entirely.

315. You consider that he did not really abide by the agreement?—To my mind, I consider that he played a very doubtful game.

316. At all events, his case appealed to you at the time, and I suppose the circumstances have not changed as regards the man himself?—He had had only seven years' service, and I felt it was a little bit hard on him, but I had to consider the efficiency of the Service; and I feel that there is absolute justification for my action.

317. Would you still be prepared to treat Mr. van Renen with consideration?—I would not be prepared to take up his case again; he has left his case to the House, and I am not prepared to espouse his case again as I feel that he does not merit it from me.

318. Well, it has become a personal matter, then?—No; I was prepared to submit his case to Parliament, but he has forfeited any claim he might have had on my support by playing what I consider a very treacherous game.

319. *Mr. Jagger.*] But would you put it quite so strongly?—Well, that is my feeling, and I may say I do feel strongly on this point: I was quite prepared to submit his case to the favourable consid-

eration of Parliament, but he went and took advantage of the fact that I had cancelled his resignation. I don't think he played the game at all. He knew very well at the time that what we did was done with the object of giving him consideration after he had seen the Prime Minister, who expressed the wish that we should do for Mr. van Renen what we could.

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320. *Mr. Molteno.*] You must admit that Mr. van Renen must have felt very indignant and very strong at what had occurred, as he was induced to take the step of sending in his resignation?—No doubt.

321. *Mr. Maasdorp.*] You expected him to send in his resignation?—No, I did not.

322. *Mr. Molteno.*] You remember that Mr. Tooke had actually written in his minute that Mr. van Renen would resign if superseded?—That is an assumption come to by Mr. Tooke, and, I think, it was a natural and proper assumption.

323. You must have known from your Permanent Head that if you took strong steps Mr. van Renen would send in his resignation?—No; I could not know that he would resign.

324. Is it not a fact that after you discovered that Mr. van Renen was 52 years of age, instead of 58 years, the whole complexion of the case between you and Mr. van Renen was altered?—No, it did not at all. From the evidence I had before me and from the facts as I found them, as already stated to the Committee, I felt that it was very desirable that some other man than Mr. van Renen should occupy the position of Surveyor-General, and, having definitely come to that conclusion not only upon my own opinion, but also upon the advice of the Permanent Head of the Department, I decided to carry it out in the interests solely of the efficiency of the Service.

325. *Mr. Maasdorp.*] I asked you the question with regard to the consideration to be shown to Mr. van Renen because it may influence the Com-

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mittee very materially in the decision it may come to, to know whether, seeing that at one time you were willing to show him consideration, you are of opinion that what has taken place since is of such a nature that he would not now be entitled to consideration?—My experience leads me to believe that Mr. van Renen has not the capabilities for the position of Surveyor-General and I repeat I acted solely in the interest of the efficiency of the Service. I am not going to oppose any consideration which the House might be prepared to give Mr. van Renen, but I feel that he has no claim upon me to support his case, or to submit it to Parliament. I do not think he could claim any consideration from me under the circumstances. I consider it will be for this Committee to get full evidence upon matter, and then make its recommendation, which, if acceptable to the House, will, I suppose, be acted upon. I want distinctly to say that I have no personal bias against Mr. van Renen; in fact, he is a gentleman I know very little of, and at the time I knew just as little of Mr. Cornish-Bowden. It was not at all a matter of person with me; I wanted to get the office out of the chaotic state it was in, in my opinion. Perhaps, when I am out of this Committee room, I might wish to feel sympathy for Mr. van Renen, but at the moment I am dealing with the facts as I found them. I feel somewhat hot on the matter when I reflect that I took the trouble to go and see him myself. I acted straightforwardly with him; I told him that I thought that the office required a younger man. It must not be forgotten that I had the evidence of what I considered an indication of his unsuitability to remodel the office in his statement on the proposed superannuation of two officers who, we considered, had become fossilised in the office. I felt then that it was useless to attempt to get things put straight so long as he was there.

326. Whatever you did, you did entirely in the interests of the Service?—Wholly.

327. *Mr. Oliver.*] I gather from your evidence that when you came into office you ascertained that the working of the Surveyor-General's Department was not satisfactory?—Yes, from the complaints made to me.

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328. From complaints made by the public?—Yes.

329. I think you interviewed Mr. Currey, the Head of the Department about these complaints?

When complaints were made I simply sent for Mr. Currey and submitted those complaints to him, expecting him to remedy matters.

330. And from what you gathered from Mr. Currey and Mr. Tooke you came to the conclusion that the working of the Department was not satisfactory?—Yes.

331. Then you consulted the Head of your Department, asking his opinion as to the working of the office of the Surveyor-General and as to the desirability of re-organizing that office?—The suggestion with regard to the re-organization of the Department came from me because on looking into things on getting so many complaints I found there was a great deal of circumlocution: correspondence was sent from Mr. Currey to Mr. Tooke, and from Mr. Tooke back to Mr. Currey, and then from Mr. Currey to the Surveyor-General, and so on. I then suggested to Mr. Currey that in regard to land matters we should have decentralization: he agreed with my views, and I thereupon instructed him to carry them out.

332. And when this plan of re-organization was drawn up and submitted to Mr. van Renen by Mr. Currey upon your instructions Mr. van Renen raised objections?—Yes, he would not agree that it was feasible or acceptable to his office.

333. Now, in connection with the work of the office, I understand that you do not admit that the land boom of the time increased very considerably the work of the office, especially in the Department in which the delays had been complained of?

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—No, I don't think that was the case in the Department, namely, the Amended Title Department, about which the complaints were the loudest at the time.

334. Now, is it possible that Mr. van Renen could have been unaware of those complaints—would not the complainants go to him?—I suppose, in many instances, the people must have gone to him.

335. Mr. van Renen stated distinctly in his evidence last year that he knew of no such complaints, and that they were never brought to his notice?—I don't think that is possible, and on that score, in my opinion, one would only have to call the surveyors and attorneys throughout the country in order to get a correct idea on the subject of those complaints.

336. Don't you think it is possible that he did not hear of those complaints?—I can hardly think so; he must have known of them—they were loud and numerous.

337. Now, had you gone direct to Mr. van Renen in regard to the re-organization of the Department would Mr. Currey have raised any objection, or could he have felt injured in any way by your having done so?—Not at all.

338. I understand from your evidence that you consider that the Department is being carried on satisfactorily at the present time?—Well, there are no complaints now, and the work is up to date.

339. Then in your conversation with Mr. van Renen, when you ascertained that he was only 52 instead of 58 years of age, it did not alter your opinion as regards his capabilities in conducting the office?—No.

340. The fact that he was six years younger than you thought would not in your opinion have made it possible for him?—My mind was really made up by the document he put in when he opposed the superannuation of certain officers in his office. I felt then that he was responsible for the delays, and

that it was perfectly hopeless to re-model the Department while he remained at the head of it.

341. It would have made no difference even if he had been 42 years of age instead of 52?—It would not have made any difference.

342. You considered that he was not capable of conducting that office properly?—He was not, in my opinion.

343. Now, with regard to the last question put to you by Mr. Maasdorp about Mr. van Renen when he laid his case before the Prime Minister and yourself, I want to ask you a question?—I may say that I was not present when Mr. van Renen saw the Prime Minister.

344. When the Prime Minister mentioned the matter to you, you felt that the man, having served for seven years in that Department, and not being entitled to a pension, it was only right that he should receive some consideration when he was being superseded through the re-organization of the Department; especially as such supersession might probably lead to his sending in his resignation?—Yes.

345. And you were prepared at that time to bring his case before the House?—Yes.

346. And you suggested that he should be given six months' leave for two other reasons as well, one being that he had stated that he was run down and that his nerves were not in a fit state to enable him to carry on the work of the office, and the other that he had stated that his farming operations had fallen into arrear, so that he would not have means of a livelihood if his resignation were accepted at once?—Yes, but I did not suggest the six months' leave to him. I called upon the Auditor-General and pointed out to him that Mr. van Renen was not looking very well, and was suffering on account of the strain he had undergone. I asked the Auditor-General if it were possible to give Mr. van Renen six months' leave, being myself firmly of opinion that he was ill, and,

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of course, thinking therefore that he would supply a medical certificate; he certainly left me under the impression that he was ill.

347. Anyway, it was upon those three points which I have mentioned that you suggested the six months' leave?—Yes; and I may further point out that I did not think at the time that Mr. van Renen would mind very much, because I had heard that he was very anxious to leave the Service. His farm had been neglected, and I got to know, through a lady visitor at my house, that he and his wife were anxious to go and farm. That gave me the impression that he was a man of means, and that, as he was evidently very anxious to take up his farming pursuits, he would not mind much leaving the Service.

348. Then I can sum up your evidence as follows: You found the Department in an unsatisfactory condition, and you realised that Mr. van Renen would not be equal to the difficulties of reorganisation which you considered absolutely necessary, upon which you took the step you did, believing that it was one in the best interests of the country and of the efficient working of the Department?—Yes, wholly. I may say it was one of those actions which, if left to my own personal feelings, I should never have adopted, but I should have followed the line of least resistance by leaving Mr. van Renen at the head of the office to be dealt with by my successor, and then, of course, the chaos would have continued, to the inconvenience of the public and the discredit of the Service. I considered, however, that I could not study my own feelings in the matter, but that my duty was to secure the efficiency of the office, and to attain that end I felt that a strong step was necessary, and, believing that the step I took was one which was in the best interests of the Service and calculated to secure efficiency, I took it.

349. Now, if this matter is brought before the House with the view of affording Mr. van Renen

some consideration, you will not oppose it in any way!—Oh, no; I will leave it entirely to the House to decide. I may say that I took very strong exception to much that was said in the way of criticism of my action in this matter in certain quarters. I refer to what appeared in certain newspapers, and especially to an article which was written in "Ons Land." I look upon Mr. van Renen as an out and out supporter of the Progressive Party, in fact, I look upon him as a jingoistic supporter of our party, and yet the imputation was conveyed in the newspaper referred to that my action was prompted by feelings of hostility to Mr. van Renen because he was a Dutchman. Such criticism and imputations are not calculated to serve the best interests of our Public Service, but serve rather to have a very deleterious effect upon it. I think one should be careful in making such imputations.

350. *Mr. Malan.*] You mean Mr. van Renen was a political supporter of your party!—Yes; and that is where it came in that it was improper to say that I took the step I did in regard to Mr. van Renen because of the fact that he was of Dutch nationality. Naturally, I resented that very much, especially in view of the fact that because of this circumstance I took much longer to consider the matter than I otherwise would have done. If Mr. van Renen had been an Englishman I should have had no hesitation to put my decision into practice without delay, but I took time to consider the matter, with the express object of avoiding the possibility of anyone accusing me of partiality. I therefore think it was a very mischievous statement to make, and one which did an immense amount of harm. Wherever I travelled through the country friends brought home to me that this imputation had been made.

351. *Mr. Molteno.*] You say that you had heard that Mr. van Renen was anxious to retire from the Service!—Yes.

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352. Who did you hear that from?—From Mr. Currey and others.

353. Did you inquire from Mr. van Renen himself?—No; I understood that on one or two occasions he had expressed the opinion that he was perfectly callous as to whether he remained in the Service or not; at any rate, that was the opinion my advisers had formed.

354. *Mr. Malan.*] You said you wanted to re-organise the Department?—Yes.

355. Was it put to Mr. van Renen that either he had to resign or to carry out your instructions?—No, it was not put to him in that way.

356. You say the discipline in the office is much better now?—I say the work is up to date, and there are no complaints.

357. The efficiency of the office has improved?—Yes.

358. Is that statement borne out by the return of leaves of absence which you have handed in?—Yes; Mr. Cornish Bowden will be able to explain that every man who is on leave is absolutely entitled to it.

359. We have it from these returns that there are more absentees now than formerly?—Mr. Cornish Bowden will satisfy the Committee in that matter. These men are entitled to the leave they are getting, and the present Surveyor-General holds very strongly that his men should take their leave, as the men work hard, and by taking their rest when they are entitled to it, the efficiency of the office is better maintained.

360. That is all right, but that same argument applied to Mr. van Renen's time too?—I have never raised the question of the absentees, and it does not come from me at all.

361. You are very strong on that minute which Mr. van Renen wrote about the four men whom you wanted to put on pension?—Yes.

362. One was the Surveyor-General, who was away on sick leave?—Yes.

363. One of the four Mr. van Renen agreed to!—The Hon.
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Yes.

364. Then there were two others, Mr. Maclear and Mr. Brink?—Yes. July 27, 1906.

365. When was that memorandum written?—I am not quite sure of the actual date, but it was about August, 1904, during the time we were discussing the question of decentralising that branch of the work.

366. Almost two years ago?—Yes.

367. The one man, Mr. Brink, whom you wanted to pension at the time is still in the office under Mr. Cornish Bowden?—Yes.

368. And Mr. Maclear has since died?—Yes.

369. You referred a minute ago to an imputation in an article which appeared in "Ons Land"?—Yes.

370. Now, what was that imputation?—I have the article over at my office, as I want to put it in my scrap-book later on; unfortunately, I have not got it with me now.

371. Well, but what was the imputation?—The imputation was that I had superseded Mr. van Renen because of the fact that he was a Dutchman—that was practically what it meant.

372. And you say that that had nothing to do with it?—Nothing whatever.

373. Will you put in that article, so that the Committee can judge whether that imputation was made?—Yes, I will send the article over.

374. *Chairman.*] The time that you made this change in the re-organisation of the office, your Permanent Head was in cordial sympathy with your action?—Yes.

375. The statement put in from Mr. Tooke, which was put in by you, lends corroboration to your evidence, but have you any corroboration of your evidence with regard to the view which Mr. Currey took?—Yes, although that will be verbal evidence of men in the office—Mr. Williams and Mr. Green.

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376. We will examine Mr. Williams directly, and you will get Mr. Green to come?—Yes.

377. At the time when you re-organised the office, which resulted in Mr. Currey and Mr. Tooke going on pension, can you tell the Committee upon what date the Cabinet decided that resolution?—I have not got the date at my fingers' ends at the moment, but it was after I came back from England.

378. It was not decided a year ago?—No.

379. It had not been decided when Mr. Currey and Mr. Tooke gave their evidence before a similar Committee last year?—No, I don't think so, although Mr. Currey may have had an inkling that such a course was in contemplation. I discussed the re-organisation with him, and the changes which would have to be made, and I gave him to understand that he would be superseded.

380. That was before he gave his evidence here last Session?—Yes; I am quite sure that Mr. Currey had a hint from me that with the re-organisation he would perhaps have to go on pension.

381. And you recognised that you were, so to say, in the public interest conscientiously trying to do what was necessary?—I was ambitious to make a success of the Department. I felt that Mr. Currey was not in effective touch with the farmers, who had complained on that score.

382. Now I wish to refer to the office of the Surveyor-General. The changes you made there were made without any motive other than the efficiency of the Service?—I had only the interest of the public and the efficiency of the office in view.

383. And in doing that you knew you were putting your head into a hornet's nest?—I felt that.

384. And you think that if that were your motive you should rather be credited with courage in doing what you considered your duty, under the circumstances, instead of being reflected upon for having committed iniquities?—Yes; I felt that I

should have had the support of the public in my endeavour to re-model an office which was not satisfying their wants.

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385. And you had no design or particular regard for Mr. Cornish Bowden?—None whatever; Mr. Cornish Bowden was practically a stranger to me up to the time that I took office.

386. Now, looking back on all that has transpired, and having before you certain information to the effect that Mr. van Renen was willing to go back to his farm and was not particularly keen upon retaining the appointment—as you believed from the information you had received—don't you think that the change, so far as Mr. van Renen was concerned, was accompanied with some want of tact?—In the light of recent events, it might be said that perhaps one might have taken other means of bringing about the same result; of course, one is always wise after the event.

387. For instance, you might have interviewed Mr. van Renen personally, and examined into what his prospects and position was?—You forget one important fact, and that is that Mr. van Renen sent in his resignation whilst the matter was still under discussion, and before we had come to a definite decision. I had decided in my own mind as to what I would advise the Cabinet, but a final decision could not be come to except with the approval of the full Cabinet, and that had not been come to when Mr. van Renen resigned—Mr. Cornish Bowden had not yet been decided upon.

388. But you can quite understand Mr. van Renen's position in the matter when he discovered that the Minister had sent for a subordinate of his to consult with?—We were perfectly open in the matter; Mr. van Renen knew that we meant to re-model the office, and nothing was done in a surreptitious manner at all.

389. Would it not have been a more tactful course to have exchanged confidence?—Mr. Cornish Bowden was not sent for with the object of

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discussing with him the question of the supersession of Mr. van Renen. The Prime Minister wanted to see the man whom the responsible Minister was prepared to recommend for the post, and not the slightest indication was conveyed to Mr. Cornish Bowden that he would get the post.

390. Granted all that; but so far as appearances went, and so far as Mr. van Renen could judge, he evidently came to the conclusion that the Government was discussing the re-organisation of his office behind his back; rightly or wrongly, he took that view, and holding that view he, as you expressed it in your statement, in a fit of pique, sent in his resignation. Now don't you think that that should have been avoided if you had sent for Mr. van Renen and told him what the views of the Government were, especially as he himself was not, as far as you had been informed, very anxious to retain the appointment?—I have told you that I called upon Mr. van Renen when the cancellation of his resignation was being discussed, and I told him then that a younger man was required to carry out the scheme of re-organisation which had been decided upon.

391. That was after the feeling had been created?—Possibly.

392. Now with regard to the point of giving him six months' leave; you had in your mind the feeling that the man was not well?—Yes.

393. It was not done in a sort of way of giving him more money than he was entitled to under the ruse of illness?—No; he could not possibly get sick leave without a doctor's certificate, and I am quite sure that he left me under the impression, judging from his appearance, that he would be able to get a medical certificate without any difficulty.

394. On this point, it seems to me, sitting as a jurymen, that the evidence is most conflicting. Mr. van Renen stated in his evidence that he was not ill, and that he was not going to perjure him-

self by saying that he was ill. He stated that he gave that reply to Mr. Tooke when the latter suggested his going on six months' leave?—Yes, but, of course, that was after the cancellation of his resignation.

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395. Mr. van Renen says in his evidence, in effect, that all this statement about his being sick was an invention of the Minister's or Mr. Tooke's, that he had made no such statement, that he was quite well and would not be mean enough to obtain leave by a subterfuge; and that, so far as he was concerned, there was no truth in it?—I cannot understand his making such a statement.

396. Now you recognised that it was rather rough on him, after being in that office for six or seven years, to be retired without some consideration, which you were unable to give him under the regulations, and you were anxious to find some way of treating him better than what the regulations allowed?—I was sorry to be in the position of having to take the step, and I felt very sorry for Mr. van Renen, but then I had to consider something more than feeling sorry, and that was the efficiency of the office.

397. I gather from you that one of the main points which influenced your resolution was the fact that Mr. van Renen had manifested some obstreperousness to carry out your wishes in the matter of reforms in his office, which you considered necessary, and because the changes which you desired to see given effect to he was not in agreement with?—He was not in agreement with my views.

398. And you and both your Heads of Department, Mr. Currey and Mr. Tooke, felt that it would be better to have the change for that reason?—Yes.

399. You mean to say that that was the view of Mr. Currey and Mr. Tooke both?—Mr. Currey held the view I took more strongly than Mr. Tooke.

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400. And Mr. Currey was anxious that Mr. Hall should be appointed?—Yes; the only point of difference between Mr. Currey and myself was that I was strongly of opinion that we should not go outside the Service if we had a suitable man in the Service. Mr. Currey was in favour of appointing Mr. Hall, who is a personal friend of mine and a strong political supporter, so that I should have been biased absolutely in his favour; I felt, however, that if I appointed him my action would be misunderstood.

401. Now, with regard to the discipline in the office, which you had reason to believe was bad at the time of the discussion of these changes, and that it had been bad for some time before. In what way was the discipline bad; were the officers insubordinate, or was their conduct bad in any other respect?—Of course, in this connection, I may say that my evidence is largely hearsay evidence, and one does not like to give one's informants away. After all, it was my duty to find out everything I could from my officers in the service of the Department, and not only from them, but from others who came in frequent contact with the Department. I wanted to get at the bottom of things, and made inquiries.

402. And what did you find?—That there was a lack of discipline.

403. In what way?—The official office hours were not strictly observed.

404. Is there anything which you have omitted to say, and which you would like to bring to the notice of the Committee?—No, excepting that I should like to affirm again that, in bringing about this change, I had no other desire than the efficiency of the Department under my control. I had no bias at all against Mr. van Renen; in fact, up to the time this matter took place, wherever we did meet we met on very friendly terms. I had no choice of men in the office; Mr. Cornish Bowden was a stranger to me, and I had no reason to

espouse his cause other than an earnest desire to place the Department in a position which would satisfy the public. When I met Mr. Cornish Bowden I was struck with his grasp of land matters, and saw that he had administrative ability, and I therefore felt that he was the man who was likely to make a good Surveyor-General, and my sole reason for appointing him was because I felt so convinced that it was in the best interests of the public and of the Service to make such a change.

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405. *Mr. Jaeger.*] And you are of the same opinion now, after 12 months' experience of Mr. Cornish Bowden at the head of the office!—Oh, yes; I look upon him as a very able administrator, and one who will keep that office in the good condition that it is in at present. He is a thorough disciplinarian, and possesses administrative ability, besides which he has a thorough grasp of land matters.

406. In the light of experience, you consider the change has been thoroughly justified!—Yes.

Mr. Gilbert Neville Williams, examined.

407. *Chairman.*] What position do you hold?—First-class clerk in the office of the Director of Agriculture.

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408. I believe you have a written statement with regard to the change which was made in the office of the Surveyor-General!—Yes.

409. *Mr. Malan.*] When did you write that statement!—On the 20th instant.

410. At whose instance did you make that statement!—I was asked whether I knew anything of the circumstances attending the change, and I then wrote this statement.

411. Who asked you? Mr. Green, Mr. Fuller's Private Secretary, if I remember rightly.

412. Had you any records of what took place!—Well, we have one letter which was written by the Under Secretary for Agriculture to the Surveyor-General at the time, and copies of this and an-

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nexures I have attached to this statement. I also have a rough draft memorandum which I showed to Mr. Currey at the time when the discussion on the question of separating the land work, and transferring it to the Surveyor-General's office from the head office, was going on. That memorandum I have not with me here.

413. *Mr. Jagger.*] Anyway, you have a memorandum of what took place at the time when the change was made?—No, the memorandum refers to the matters which were discussed at the time.

414. A plan and so forth?—No, it is a rough scheme of the then proposed change.

415. *Mr. Malan.*] Then you have no written records of the interviews that took place at the time?—No record was kept at all; the interviews were purely verbal.

416. *Chairman.*] You have now written a statement embodying your recollections of what took place?—Yes.

417. Will you read that statement and put it in?—Yes. [Statement, letters and list of matters dealt with by Surveyor-General's office put in.]

418. *Mr. Molteno.*] All those letters were written during the time Mr. van Renen was Acting Surveyor-General?—Yes.

419. *Mr. Malan.*] Then the interviews took place with Mr. van Renen as Acting Surveyor-General?—Yes.

420. The man who was still Surveyor-General at the time was Capt. Jurisch?—I am not quite sure whether Capt. Jurisch was not dead then already.

421. No, he was absent on leave at the time. Anyway, Mr. van Renen was temporarily acting in that capacity?—Yes.

422. And he would naturally be a little diffident to make the change when the chief of the office was away?—I am not aware that he took up that position; one of his main objections, so far as I remember, was based on the limited accommodation at

his disposal; he maintained that unless he got additional accommodation in the Master's Office or adjoining building the scheme would be unworkable.

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423. *Mr. Molteno.*] As a matter of fact, they did get accommodation outside the Department?—Not for the clerical staff.

424. They got offices in Greenmarket Square?—No, in Church Square.

425. *Mr. Jagger.*] But, as a matter of fact, they have accommodation for the clerical staff?—Yes, at inconvenience, but still it has sufficed.

426. Have they accommodated the same staff or more men?—More men; we sent over an additional staff of about five or six men.

427. Who are now accommodated in that office, too?—Yes.

428. *Mr. Malan.*] Would you say that there is sufficient room for them all?—Well, they have been working in that condition for 12 months, so that evidently there is sufficient room, although it may be inconvenient. They have not received any additional accommodation for the additional men who were added to their clerical staff.

429. What is your connection with the Surveyor-General's office?—I have no connection with the office of the Surveyor-General.

430. Well, I notice that you say the change works successfully; what means have you for saying that?—I was asked by Mr. Cornish Bowden to look into the system of the records and to suggest changes, and, as a matter of fact, the changes were carried out under my supervision, to a certain extent.

431. That was at the time the change was made?—Yes.

432. But you now state that the change works successfully, and I want to know what means you have for knowing that?—I come to that conclusion because we have received no complaints.

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433. But you have just said that you have no connection with the Surveyor-General's office?—No, but I would know if there were any complaints.

434. *Mr. Jagger.*] And you would know from your general knowledge of the Department as well?—Oh yes; I go to the Surveyor-General's office on business sometimes.

435. What business?—I may go there to inquire about land matters.

436. Anyway, you have occasion to go there sometimes?—Yes.

437. And therefore you are in a position to form an opinion?—Yes.

438. *Mr. Oliver.*] I understood you to say that the work was entirely satisfactory to Mr. Cornish-Bowden, the Head of the Department?—The changes brought about were to his entire satisfaction. I am speaking of matters that occurred some time ago, and Mr. Cornish-Bowden expressed to me his satisfaction with the changes made. I have already pointed out that the changes were made in the method of keeping the records to a certain extent under my supervision, and naturally I asked Mr. Cornish-Bowden how the changes worked, to which his reply was that they were satisfactory. I asked him whether he was satisfied with the man I had selected specially for the work, and how the work was going.

439. *Mr. Malan.*] Had you anything to do with the land branch before it was transferred to the office of the Surveyor-General?—Yes, I was Chief Record Clerk at the time, and acted as Mr. Currey's personal clerk.

440. How long is it now since this transfer took place—when was the change made?—The change took place about the first of August, 1905.

441. Do you think the time that this change has been in operation sufficiently long to form an opinion as to how it would work?—I am speaking only in regard to the mode of conducting corre-

spondence and of keeping the records. I have had considerable experience in these matters, and I say that 12 months is long enough to judge whether the change is satisfactory or not.

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442. *Mr. Jaqger.* Now about those complaints, what knowledge had you of them?—I remember that there were complaints at the time about delays in the issue of amended title under the Land Beacons Act. Conveyancers made the complaints. I could not tell you now what those complaints were exactly, but the complaints were made to the office, and there was correspondence on the subject with conveyancers. Besides, conveyancers' clerks frequently came up to the office to inquire about the deeds. The title deeds were sent from the Surveyor-General to the Minister for signature, and from there to Government House for signature, from where they were sent back to the Minister, and then forwarded to the parties concerned.

443. How long did these complaints go on?—I think they were all made very much about that period, that is, during the year 1904, but I could not tell you definitely.

444. How long have you been in the office?—I have been in the Department between 14 and 15 years.

445. Did complaints take place under Mr. Horne's control?—I cannot call to mind any.

446. Or under Captain Jurisch?—I cannot say; I only remember the particular complaints which were made about that particular period.

447. In 1904?—Yes.

448. Just prior to the re-organization?—Yes.

449. Did the complaints come to you?—They came to the permanent head of the Department, but they passed through my hands.

450. They had to pass through your hands?—Oh, yes, all correspondence passed through my hands.

451. Was there a great number of complaints at that time?—There were not so many letters of

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complaints, perhaps two or three; but that correspondence can easily be got.

452. It is filed in the office?—Yes, in the office of the Surveyor-General.

453. Have you any complaints now?—I don't know of any, but the working of the Department is so different now that I would not know officially if there were any.

454. Well, now, we have learnt from your statement that Mr. Currey formed an unfavourable opinion of Mr. van Renen?—Yes.

455. There was no personal feeling?—Oh, dear, no.

456. You are clear on that point?—Yes.

457. It was entirely a matter of his efficiency?—I am judging from conversations I had with Mr. Currey. Of course, Mr. Currey did not communicate all his views to me, but from certain conversations he had with me I came to the conclusion that in the opinion of Mr. Currey Mr. van Renen had not enough push to carry out the changes. There was a certain amount of opposition on the part of some of the staff in the office of the Surveyor-General, and Mr. van Renen was somewhat impressed by that and was reluctant, upon which, I gathered, Mr. Currey formed an unfavourable opinion of Mr. van Renen's capabilities to give effect to the proposed changes. While the negotiations were going on I remember Mr. Currey saying that he was afraid Mr. van Renen would be unwilling to comply with the proposals and would stick at them.

458. You were present at interviews at which the proposed changes were discussed?—I was present at, at least, three or four.

459. Now, did you notice any bias on Mr. Currey's part against Mr. van Renen prior to those interviews?—No.

460. It arose out of the impressions gained at those interviews?—I could not say, because, as I have pointed out, Mr. Currey only spoke to me sometimes about these matters.

461. You don't know what views Mr. Currey gave to the Minister in reference to the proposed changes?—No, but he told me that he had the Minister's sanction for formulating the scheme of proposed changes which involved the decentralization of the work in connection with land matters.

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462. Then he told you that he did not think Mr. van Renen was capable to carry them through?—No; but before Mr. van Renen gave his opinion as to whether he would be prepared to carry them through or not, Mr. Currey said he was afraid Mr. van Renen would stick, and would be unwilling to take over the whole change as proposed, and I gathered a somewhat similar impression from Mr. van Renen.

463. *Mr. Oliver.*] That he would object?—No, but that he did not feel he would be in a position under the circumstances then existing to carry out such a radical change—that was the impression Mr. van Renen gave me in ordinary conversation, although he did not perhaps say so in so many words.

464. *Mr. Molteno.*] At this time, you say, Captain Jurisch was away, and Mr. van Renen was acting for him?—Yes, when these negotiations took place.

465. Was it that Mr. van Renen did not feel justified to incur the responsibility in the absence of his Chief?—I have no knowledge of such a point having been raised; the chief point seemed to me to be lack of accommodation, and I am not aware what other reasons Mr. van Renen had for opposing the scheme.

466. As a matter of fact, the office is very cramped?—Oh, yes.

467. It is an old building and the office is very inconvenient?—It is that.

468. I suppose those offices there correspond very much with the Deeds Registry Office?—Oh, yes.

469. You know that the Deeds Registry Surveyor's office is so unhealthy that the officer re-

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signed from the service of the Government?—I think I heard so.

470. And although they made him very substantial offers, he was obliged, on account of his health suffering in that office, to refuse those offers?—I have heard of it.

471. *Mr. Malan.*] You say that the main objection of Mr. van Renen was lack of accommodation?—As far as I know.

472. Were there any other reasons which he used against the re-organization which occur to you?—Well, Mr. van Renen also remarked that some of the old members of his staff did not seem in favour of the proposed changes.

473. I mean as regards his own opinion?—As far as I could judge, Mr. van Renen appeared to me to be of opinion that it might be an advantage to adopt the change—and I may say it would have been an advantage from his own point of view, because it would have given him increased responsibility and additional powers—but he seemed to be loath to incur that responsibility in view of the lack of accommodation and the opposition of certain members of his staff.

474. And his Chief being away?—I did not hear that introduced, as far as I remember, but it may have been.

475. He did not raise any objection on principle against the change?—Not so far as I am aware.

476. *Mr. Jagger.*] I gather from those letters, which you have read, that Mr. Currey gave Mr. van Renen full opportunity to carry out these matters, and gave him full powers to carry out the proposed change?—That is not incorporated in the letters I have read. The letters refer to the final scheme, which was adopted after the more comprehensive one had fallen through, owing to Mr. van Renen's reluctance to adopt it.

477. Then, had he been willing to push through the whole re-organization scheme, he would have got adequate powers to do so?—The idea was to

transfer the whole of the work in connection with land matters to the office of the Surveyor-General in 1904, so as to place it in the same position that it finds itself in to-day.

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478. *Chairman.*] Do you know of any correspondence that went on in the office in regard to the changes which were proposed in that office?—A certain amount of correspondence did take place about the retirement of Mr. Horne, Mr. Maclear, and others, who had reached the age limit.

479. What was the nature of the recommendation from your office to Mr. van Renen?—I forget at the moment how the matter arose, but I think it was initiated on a resolution of the Legislative Council. The Government had resolved to take steps to retire all officers who had reached the retiring age, and returns were called for throughout the Ministerial Department. After that information came to hand, instructions were given to retire all officers who had reached the age limit, and amongst them were Mr. Horne, Mr. Maclear, and Mr. Brink, the Chief Draughtsman.

480. *Mr. Molteno.* And Captain Jurisch?—I do not remember his name.

481. *Chairman.*] Was this sent to Mr. van Renen as an instruction to be carried out?—I am speaking purely from memory, and I have not seen the papers for a couple of years. As far as I remember, he was told that steps had to be taken in that direction, and he replied that Mr. Brink's services would have to be retained, Mr. Horne retiring shortly afterwards; Mr. Maclear was also kept on, in order to train Mr. Matthews in that particular work of preparing titles under the Land Beacons Act of 1879. I think, Mr. Maclear was retained for 12 months.

482. And that was done at the instance of Mr. van Renen?—He wrote that it was necessary that someone should be trained, as no one in the office was qualified at the time to do the work, which was of an intricate character.

Friday, 3rd August, 1906.

PRESENT :

Mr. OATS (Chairman).

Mr. Jagger.

Mr. Oliver.

Mr. Molteno.

Mr. Malan.

Mr. Maasdorp.

Mr. Henry van Renen, examined.

Mr.
H. van Renen.
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483. *Chairman.*] I will read to you a memorandum dated July the 17th last, by the Secretary for Agriculture, relative to the appointment of Mr. A. H. Cornish-Bowden as Acting Surveyor-General. [See Appendix]. Have you any remarks to make about it?—It is rather hard for me, not having seen this before, to make any statement. It has been sprung upon me, so to speak, and I have not had any time to consider it. There are, however, some things stated there, that are utterly untrue. This paragraph for instance :—

“Mr. van Renen, on calmer consideration, had evidently come to the conclusion that he had made a mistake in tendering his resignation, and approached me with an *ad misericordiam* plea as to the position in which he now found himself. He pointed out in the first place that, owing to the seven years that he had spent in the Government Service he had completely sacrificed his private practice, and in the second place that, for the same reason, certain farming properties which he owned, had been allowed to be undeveloped, and that if he were to leave the Service immediately he would find himself in serious financial straits. He further informed me that he was not in very good health, and that owing to all this worry about the appointment he was suffering from nervous prostration.”

That is absolutely untrue; there is no truth in that statement whatever.

484. Is the whole of it untrue?—The whole; from beginning to end. I was as well as any man could be: I was never, in fact, in better health in my life. I never discussed my farming pursuits or anything else with Mr. Fuller at that interview I had with him.

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485. *Mr. Jagger.* What did you discuss?—Mr. Fuller sent for me after my interview with Dr. Jameson, and he said that Dr. Jameson had been very much impressed with what I had told him, and that neither he nor any of the Ministry had anything against me: their only objection was my age. He said he had been told by Mr. Currey that I was 58, and that in a couple of years' time, according to the regulations, I should have to leave the Service and retire. I then explained to him that I was not 58, I was only 52. Then he said, "that alters things, but you have tied my hands, as you have sent in your resignation, and unless you withdraw that we can do nothing for you." Those were his very words, and no other conversation ever took place at that interview.

486. Was nothing said about your having sacrificed your private practice?—Not a word. I never discussed my affairs with him at all.

487. And nothing was said about your farming pursuits?—No.

488. Have you any farms?—Yes. The only time when my farm properties were discussed was when I asked for additional leave. I got six weeks leave and then I asked for an additional $1\frac{1}{2}$ months without pay.

489. *Mr. Malan.* That was after you had been superseded, was it not?—Yes. December 20th I think it was. It was the time I had six weeks leave, and I asked for $1\frac{1}{2}$ months longer, which was refused by Sir Lewis Michel.

490. After Mr. Fuller had left for Europe, when Sir Lewis Michel was acting, you asked for an extension of leave: it was then that the question of farm properties was raised?—Yes, I explained

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to Sir Lewis Michel or the Under Secretary at the time that I should like to go and look after my farms, as during the war I had lost everything. I wanted to see what had been done, and that was why I wanted extra leave. Sick leave had been offered me, as I explained to the Select Committee last year.

491. *Chairman.*] Is there no way to harmonize your evidence with Mr. Fuller's. Mr. Fuller says that he consented to the cancellation of your letter of resignation, in order to give effect to the recommendation which was to be made to Parliament that you should be treated specially, Mr. Tooke having said that there were precedents for it?—That is what he states.

492. Did he state when your resignation was cancelled, that you would be made Acting Surveyor-General?—No; he did not state that, but I inferred from his statement to me that my age was the only obstacle to my being appointed; that was the only obstacle to my appointment.

493. He stated here that he was under a wrong impression about your age, but that was not the only thing in his mind. If possible, we want to attribute to everyone concerned the best possible motives. Mr. Fuller says he distinctly agreed to Mr. Cornish-Bowden being the best man for Acting Surveyor-General, and it was on account of that that he sent him to the Prime Minister, and when cancelling your resignation, he had no idea at all of doing away with his plans for the appointment of Mr. Bowden. Is it not possible that there may have been a misunderstanding in that respect, and that the inference you drew from what he said was a wrong inference under the circumstances. He recognized that you were treated somewhat roughly, but he felt in the interests of the Service and from the evidence brought to his notice that a change of this kind was needful, and there seems to me hinges the whole issue. You inferred as far as I

can gather, that when your resignation was cancelled, from his manner and words to you, that Mr. Fuller's intention was that you should be made Acting Surveyor-General. Mr. Fuller says in effect that if you had such impression, or if you drew such inference, you were wrong. What he intended to do was only to re-instate you so to speak, so that the Government might treat you as fairly and liberally as they could. There the split comes in?—That was not the inference that I drew. As soon as I made the statement and said I was agreeable to withdraw my resignation, Mr. Fuller on the spur of the moment sent for Mr. Tooke, and in his presence told him "Mr. van Renen has withdrawn his resignation—cancel it."

494. That evidence is clear, but you inferred from that that when your resignation was withdrawn, things would have gone back to their original course, and that you would be Acting Surveyor-General. Now, the evidence of Mr. Fuller was, that he never intended that. What I want to come to is this, was it not possible for you to have inferred wrongly what was the intention of Mr. Fuller when your resignation was cancelled?—That is quite possible, but I defy anyone in the world to prove that there was any single legitimate instance of maladministration on my part or of any irregularity in the office during my time.

495. With regard to what transpired in the office, your evidence is this, you had an impression, and you inferred from what Mr. Fuller said, that when your resignation was cancelled, thereupon your *status quo ante* would be restored, and you would have been Acting Surveyor-General?—As a matter of fact, I was Acting Surveyor-General till December 19th.

496. *Mr. Mahan.* I would like to put one question, and it is this: at this interview with Mr. Fuller, was it arranged that you should go on leave?—No: not at that interview, not at all.

497. Are you quite clear about that?—Yes, quite.

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498. Mr. Fuller says that after he had consented to the cancellation of your resignation on the understanding that you would ask for leave for six months, you, in a fit of pique, on reconsidering your position, came back to your office, and decided not to ask for leave, but to await developments. You say that is not the fact?—No. I applied for leave in consequence of what took place after my meeting with Mr. Fuller. I think our meeting was on the 26th of November; then sick leave was proposed to me, and Mr. Fuller came to me and told me he was sorry I could not help him.

499. Was this suggestion about sick leave made subsequent to your withdrawing your resignation, or at the time?—Subsequently.

500. Are you quite clear about that?—Yes. I was sent specially for on the day afterwards, the 25th, by Mr. Tooke, and he then made this proposition to me.

501. Mr. Fuller did not make it to you?—No; Mr. Tooke said the Government had consulted the Auditor-General and that the only way they could help me was by my taking sick leave, and I very indignantly asked him how he could propose such a thing to me, as I never felt better in my life. He wanted me to consult a doctor and perjure myself.

502. You say it was at the interview with Mr. Fuller he informed you that the Government had nothing against you except your age?—Yes, those were his very words.

503. And when he found your age was 52 instead of 58, did he imply that that made all the difference?—Yes, he said so.

504. So you were under the impression at that time that there was some misunderstanding, that your real age had been misrepresented to the Ministry?—Yes.

505. *Chairman.* Mr. Fuller says: "He so impressed me with the seriousness of his position that I told him that, out of consideration for him. I would allow him to withdraw his resignation on

the understanding that he would apply for six months' sick leave and would retire at the end of this period." He also says "I had previously consulted Mr. Tooke and had been informed by him that there were precedents in the service." What do you say to that?—There is not a particle of truth in the statement of Mr. Fuller's.

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506. *Mr. Malan.*] What was the object of your interview with Dr. Jameson?—I met Dr. Jameson casually in a railway carriage, travelling from Cape Town to Rondebosch. I casually got into the same carriage with him, and as I had known Dr. Jameson in earlier days, I ventured to speak to him about the matter, and I asked him whether he had heard about it, and he said "No, he had not heard a word."

507. Did he clearly understand that what you wanted to talk to him about was the matter of your supersession?—Yes. I explained the matter to him.

508. Was it not merely a plea for consideration?—No, not at all.

509. Was it not a plea, that as you had been seven years in the service, you were entitled to a pension?—No, I did not think of the pension, but of the way in which I had been treated: that was what annoyed me. The pension was no consideration to me whatever.

510. So that the purport of your interview with Dr. Jameson was in regard to your supersession?—Yes: the way in which I had been treated.

511. *Chairman.*] Is there any other point you want considered?—Taking the thing as a whole, it seems to me that Mr. Fuller wants to prove that I was not competent and not efficient enough, but during all the time I was there, there were only two actual complaints that came in about delays in amended titles, only two, and I have them here. Delays of two or three weeks, I may say, are nothing in common with amended titles. The greatest care and caution have to be exercised in preparing

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these titles, as they are not like ordinary titles. The provisions of Act No. 9 of 1879, have to be rigidly complied with, and the Surveyor-General has to carry out these things personally: he is personally responsible for everything that takes place, and the Government is liable to be sued if any mistake takes place. The Surveyor-General has to be very careful, and no amended title ever goes through under three months. We have to give two months notice in the *Government Gazette* when the Surveyor-General intends to issue an amended title, and previous to that, all the provisions of the Act have to be complied with. The adjoining owners have to give their consent to the beacons, and all the transfers have to be in order. The surveyor has to give certain certificates, and if these are not all in order we cannot go on with the case. In that way delays take place, and in the two special cases I refer to I can prove that no delays whatever took place worth speaking of. I have the reports here, and I should like to refer to them. I may say that I asked for more help, and that help was never given me. I was placed in the most difficult circumstances when I took over. On the 30th of September, 1904, I reported on a letter from Mr. Versfeld, dated the 16th of the same month, as follows :

“The delay complained of in the above case, I find on inquiry, was caused chiefly by the diagram having been returned by the examiner for correction, and the difficulty in finding the address of the surveyor who had framed it, that gentleman having proceeded to the Transvaal without intimating the fact to me. In addition to this, an unprecedented number of applications for amended registry under Act 9 of 1879 have latterly been made, causing a great pressure of work in this respect ; and as each application has to be taken on its merits and in order of rotation, it follows that in any case

where through erroneous diagrams or non-compliance with the requirements of the Act on the part of the applicants or their agents the application cannot be proceeded with, the said application must remain in abeyance until subsequent ones have been dealt with. This has been the case in the matter of "De Bril," the subject of Mr. Versfeld's letter. Of course, there are other causes of delay frequently complained of, such as the length of the Notice (60 days), the time taken in submitting the amended title and transfer to the Registrar of Deeds, obtaining the requisite signatures to the title; but these measures are required by law, and are unavoidable. I have no hesitation in stating, however, that as a rule when a case is found to be complete as little delay as possible takes place in this Department in issuing amended titles; and, considering the small staff at my command to carry out the vast and various duties that fall within its scope, the marvel is that complaints are not louder and more frequent."

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That was my report on the 30th of September.

512. *Mr. Jagger.* As a matter of fact, who is in charge of this particular branch of the work?—At that time Mr. Maclear was.

513. Were there not grave complaints as to the irregularities in the office?—None whatever. I cannot understand how the idea got about. Mr. Maclear was an officer who had been in the department for 45 years, and during that time all his leave put together did not exceed more than about a year. All the amended titles drawn up in that office for the last 20 years or more were drawn up by Mr. Maclear; he was excellent at the work.

514. If he had been in the office for 15 years would he not get rather antiquated and go on old methods?—No; he had been trained to the work

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by previous Surveyors-General, men like Mr. Marquard, Mr. Melville, and others; he received a perfect training, and there was no other officer in the department who knew how to do the amended title work.

515. Was he always equal to his work; were there no complaints about his insobriety?—Not during my time. He was slightly deaf, and people used to come in and worry him, especially lawyers. They would come at all time and worry him about cases, and very often he got annoyed, but I had great influence over him ever since I was there. He was very steady indeed. I heard when I was there that he was a man addicted to drink, but never in my time did he break out. The unfortunate circumstance in connection with amended titles was, he was the only one who could do that work in the office; there was no second man who could do it.

516. How did you manage after he died?—He partially trained a new man. The man there now is capable, and he was in charge of all the Bechuanaland work: he was the only man next to Mr. Maclear who could do the work.

517. Could not he have done it at that time?—He had other work which he could not leave for a moment. His whole time was taken up with the Bechuanaland work.

518. You maintain that Mr. Maclear was quite equal to his work the whole time you were in the office?—Yes; he was quite equal to it.

519. There was no neglect on his part?—No. I considered him a very capable man at his special work: the fact of his not having taken more than a year's leave in 15 years shows that he was a man who stuck to his work and could not be missed.

520. We have had it brought to our notice that you very often celebrate birthdays in your office?—Old Year's Day, and so on; that was the custom of the office when I went there; I did not allow it.

521. Did you stop it?—I did not countenance it. I did not think it was nice, but it has been the custom in the office from time immemorial.

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522. Were they not generally rather a convivial lot in the office?—No, not that I know of.

523. *Mr. Malan.* You said New Year's Day; were there any other convivial meetings? The chief's birthday; anything like that. He would send for a few bottles of wine or something and some biscuits, and his health was drunk. That only happened two or three times a year, but I never countenanced it. It was a custom in the office when I went there. It was not my place to stop it. I was only a *locum tenens* for Capt. Jurisch, and it was not for me to initiate new customs and put a stop to the thing suddenly.

524. *Mr. Jagger.* It was not conducive to discipline, was it?—No. I did not like it, nor did I countenance it in any way. I set my face against it from first to last, but it is very difficult to stop old customs like that among old officers.

525. Is it still the custom?—No, not now, I think. They have had meetings, but I never attended them.

526. All that sort of thing has now been put a stop to?—I do not know that it has. I never attended the meetings since my supersession.

527. *Mr. Molleno.* You say you never countenanced it, and never attended the meetings?—No. I did not like it, although I attended some of the meetings.

528. *Mr. Jagger.* You never went to one of these meetings?—Oh, yes. I have been to one or two.

529. *Mr. Molleno.* During all the time you were acting were you ever communicated with by the Minister regarding any complaints in the office?—Never.

530. Were you ever communicated with by either Mr. Currey or Mr. Tooke?—No. There were only two complaints. I have referred to one

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of them ; the second was a fortnight later. I have here a letter from Messrs. Findlay & Tait complaining about delay in the issue of an amended title. I referred the matter to Mr. Maclear, the assistant, for a statement, and this is his statement to me :—

“ The statements made by Messrs. Findlay & Tait may be characterised as rash, especially the one, ‘ in fact any matter to the Surveyor-General, we have to constantly follow up our letters with reminders and verbal inquiries.’ However, without further comment except that, as far as I am aware, the above gentlemen, in common with any other applicants, have been treated with as much courtesy and attention as possible, I shall confine myself to the chief subject of complaint, viz., ‘ The Algoa Land Company.’ The documents could not easily be acknowledged at once on account of the several applications for amended registry being dealt with previous to the receipt of the above application, and as—as a rule all such applications are urgent, the applicants being anxious to dispose of their land and consequent sub-division—in justice to others preference could not be given to Messrs. Findlay & Tait, in the absence of any special reason furnished, though, as a matter of fact, the requisite examinations, including a necessary investigation in the Registrar of Deeds Department, were commenced prior to the acknowledgement of the documents furnished. The requisite notice was sent to the Government Printers for publication under the 7th section, Act 9, 1879, on the 15th instant. As already stated elsewhere, the unusual number of applications for amended registry lately received have interfered greatly—especially where cases involve unusual care, such as a large number

of shareholders, special rights, etc.—with rapid progress in the work. Great care and caution have to be exercised in order to avoid the possibility of involving the Government in legal proceedings: and I have further to state that if it were not for the overtime constantly and gratuitously given by some officers of this Department when there is any unusual strain on the office without the hope of any recognition, I fear that there would be much more delay than that complained of, even leading to serious embarrassment."

That is dated the 17th of October, 1904. Then I wrote and reported to the Under Secretary for Agriculture as follows:—

"Attached is a statement in this matter by Mr. Maclear, the officer who deals principally with amended title cases, from which it will be seen that although the stereotyped letter of acknowledgment was not sent to Messrs. Findlay & Tait until 15 days after the papers had been delivered to me, steps had already been taken in the examination of the deeds by reference to the Registrar of Deeds. The fact is that every Attorney in the Colony who applies for an amended title unvariably marks his case *urgent*, and imagines that his is the only one to be dealt with here, whereas there are perhaps a hundred others equally urgent. As I have pointed out to you in an earlier report on a similar complaint being made, it is only fair that when there are so many applications, each should be taken in order of rotation. It would not be just to take for instance Messrs. Findlay & Tait's cases, when there are others prior in date of application that have not been attended to. At the same time it must be stated that owing to the delay of the Government in filling up the

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gap that has been caused in the staff of this department by the death of Capt. Jurisch. an amount of work—principally work requiring investigation by professional hands—is accumulating in this office, which will occupy a very long time to overtake. For the past year it may be said that all the professional work here has fallen on my shoulders, and those of the second Assistant Surveyor-General, and when it is considered that in ordinary times there is more than enough to do for the Surveyor-General and his two Assistants, I think in bare justice to Mr. Cornish-Bowden and myself the Government should take into early and serious consideration the absolute necessity of bringing the staff up to its full complement of officers. The fact must not be lost sight of that only recently a considerable increase to the work of this department has been made by your letter dated 19th July last, assigning fresh subjects to be dealt with by the Surveyor-General. Hitherto the best efforts of my staff have been put forth to cope with the mass of work that falls to its lot, but I must confess that things have now come nigh the breaking point, and unless assistance is soon given the public will have substantial reasons for dissatisfaction in the delay that is bound to take place in connection with matters that are sent here for settlement.”

That was written on the 19th of October, 1904.

531. *Mr. Maasdorp.* To whom is that addressed? —To the Under Secretary for Agriculture.

532. *Mr. Molleno.* Have you, in addition to writing these letters, made several applications to see the Minister?—Yes, many applications, but I never could see him.

533. You never saw him?—Never from first to last did I see him.

534. *Mr. Maasdorp.* Was any notice taken of this letter of yours?—The Government wrote on the 14th Nov., 1904, as follows:—

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“Amended Title in favour of the Algoa Land and Investment Company Limited. Gentlemen:—In reply to your letter of the 12th ultimo, on the above subject, I am directed to state that on inquiring it is learnt that your firm in common with all other applicants has always been treated with as much courtesy and attention as possible by the Surveyor-General's Office. As regards the chief subject of complaint, namely, the amended title in favour of the Algoa Land and Investment Company, Limited, the documents could not easily be acknowledged at once on account of the several applications for amended registry being dealt with previous to the receipt of the above application, and preference could not be given to the case in question, in the absence of any special reason furnished, though as a matter of fact, the requisite examinations, including a necessary investigation in the Registrar of Deeds Department were commenced, prior to the acknowledgment of the documents furnished. The requisite notice was sent to the Government printers for publication, under the 7th section, Act 9, 1879, on the 15th ult. I am further to state that the unusual number of applications for amended registry lately received by the Surveyor-General has interfered greatly, especially where cases involve unusual care, such as a large number of shareholders, special rights, &c., with rapid progress in the work. Great care and caution has to be exercised in order to avoid the possibility of involving the Government in legal proceedings. In conclusion, I am to state that the Secretary for Agriculture, to

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whose personal notice this matter was brought, is satisfied that the delay complained of by you was not caused by any neglect or oversight on the part of the Surveyor-General's Department. At the same time I am to express regret that the exigencies of the Service did not admit of the matter being sooner dealt with."

535. The letter of yours was addressed to the Under Secretary for Agriculture?—Yes.

536. When you complained about being short-handed in the office, was any notice taken of it?—None whatever. I never got any assistance from first to last, although at one time I had five or six officers absent at the same time. There was a tremendous pressure of work in the office in addition to the old work. We had to deal with 17 or 18 subjects in addition to the ordinary work. All this was placed on us while we were shorthanded, and while retrenchment was going on in the office.

537. *Mr. Malan.*] Are you still in the office?—Yes.

538. And you were in office before the land boom time of 1903?—Yes.

539. Did the work increase at all on account of the boom?—Very much indeed.

540. Has it fallen off since?—For the last 18 months I do not know what has been going on, but I do not think it has fallen off very much. Things are now much easier. I may say that the Agricultural Department as previously constituted was nothing but a millstone round our necks. They sucked our brains, as it were.

541. Who did?—The Agricultural Department; they took all the kudos of what we did; the officers in that Department had very little idea what the work was in our office; they did not know what the work was and consequently they did not appreciate it.

542. *Mr. Oliver.*] Do you consider that the re-organization of that Department is in the interests

of the general public?—Yes, it is beneficial and much nicer for us; half our time was taken up with reports to the Agricultural Department.

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543. *Mr. Malan.*] When this re-organization was suggested did you oppose it?—No, I can show you a reply to a private letter from Mr. Currey to me which will prove that I raised no opposition whatever.

544. Will you read that letter, if you please?—Yes.

“Department of Agriculture,

“Cape Town, 1st July, 1906.

“Dear Mr. van Renen,—I shall be obliged if you will let me know whether the enclosed letter is quite understood in your office. The procedure I think will be simple enough when once it is followed out. I should like to see the list or schedule of subjects extended somewhat; but this can be done from time to time as we see our way to doing so.”

I replied on the 8th of July as follows:

“Dear Mr. Currey,—With reference to your note to me, dated 1st inst., requesting to be informed whether the letter enclosed by you is quite understood in this office, I have to state that, after submitting it for perusal to all the officers concerned in this Department, I find that, except in regard to a few doubtful points which require elucidation, there does not appear to be any special difficulties in carrying out the work proposed to be transferred from your office to this, except, perhaps, our crying want of accommodation. The doubtful points above alluded to refer to sales under sections 2, 13 and 14 of Act 15 of 1887. Will it be necessary, as heretofore, to obtain the approval of the Secretary for Agriculture to the upset prices to be fixed on Crown lands offered for sale (section 2) or to

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his approval to sales of Crown land (sections 13 and 14)? I presume it will, as Act 15 of 1887 provides for it. As the additional duties devolving on this Department will materially increase my correspondence, while proportionately decreasing yours, further clerical assistance will be required to cope with the work in the record room here, and if you could spare two of your record clerks for transfer to this Department, I think the new order of things could be satisfactorily arranged. The brunt of the matter, however, is our lack of accommodation, for as things are at present, there is barely room in the building for the present staff."

That was my reply. I raised no opposition. Here is a letter, dated 14th July, 1905, from the Chief Clerk, Mr. William Horne, to another officer, written after he had read the evidence taken before the Select Committee last year. I will read an extract:—

"Many thanks for A.23, 1905. Van Renen's evidence is outspoken, fearless and manly, difficult to upset. Currey's is not so. It strikes an outsider that he knows more. It looks as if he has to shield the absentee. Further, credit is given by him to the present Acting Surveyor-General for carrying out the new scheme. Before Bowden was appointed, Van Renen took it in hand, and it was in working order before I left. When all the correspondence was thrust on to our office the head office would not give any help. However, all preliminaries were arranged before I left."

545. We have a statement here that Mr. Currey sent for you to his office to discuss these reorganizations?—Yes.

546. You recollect that?—Yes.

547. He laid before you then a rather large scheme of re-organization?—Yes.

548. Did you raise any opposition to it?—I raised no opposition to it, except that the moment was not opportune for our doing this extra work. We were short-handed as it was, and there was a want of room in the office; we could not put more men into that office, and with the extra work we should require more hands. I did not know where we should find the room.

549. As a matter of fact, the re-organization has been carried out now, has it not?—Yes.

550. On a larger scale?—Yes.

551. Additional hands have been transferred from the Agricultural Department to your office?—Yes.

552. Do not you work in exactly the same amount of space as you did before?—Yes, but I do not consider that it is conducive to good work when you have five men in a pokey little room with heaps of valuable documents lying about which get mixed up, and there is conversation going on all day long; no man can do his work properly.

553. But still, weighing all the advantages and disadvantages, you admit that for the Public Service it is much more beneficial than it was before?—Much more.

554. It rests with the Government to provide accommodation?—Yes. We have not now so many reports to write—half our time was taken up in writing reports to the Agricultural Department.

555. Should not you have taken a different attitude, and, seeing that it was for the benefit of the Public Service, tried to have put these men in somewhere, and not pleaded a *non possumus* on account of the room; did you not really make too much of the question of the room?—No. I put it strongly that that was my only objection to it.

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556. Did you think it was impossible to carry it out on account of the room?—As soon as we got the letter of the 19th July the new scheme was started and carried through. For the first week or two the clerks were rather awkward in handling things, but there was never a break in the work.

557. Did not they send any clerks to assist you?—Not one during my time; I had no assistance whatever.

558. Not even for the new branches of work?—No.

559. We have it in evidence that you opposed any changes in the method of recording correspondence in your office?—No, I did not.

560. It was said to be a very antiquated method?—Objection had been made previously to letters being copied in a letter-book because the ink might fail, but that was no objection of mine.

561. When the Agricultural Department suggested to you to adopt the new method, what was your reply?—I cannot remember now. I never opposed it.

562. Do you think the plans suggested to you were a good thing?—Oh, yes, but we were so full of work, that we did not know how to turn, and then there were these officers absent, four out of nine of the correspondence branch—Capt. Juriseh, Mr. William Horne, Mr. Stapleton and Mr. de Smidt. Four out of nine clerks were away, and everything was left to the few other men. We did not know how to turn for the work, and as a matter of fact, we had to take on new work at a moment's notice.

563. *Mr. Oliver.*] Copying presses would save you a great amount of labour, would they not. Manuscript copies take a long time to make?—Manuscript copies was a scheme of the old Surveyor-General; it was always carried out in that way, but I raised no objection to the new system whatever.

564. *Mr. Malan.*] Was the new system tried in your time or after your time?—During my time it was initiated, and I raised no objection to it whatever. It is very difficult to get clerks accustomed to one system of working to suddenly take up another, and it means a loss of time.

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565. When you got a Minute from the Agricultural Department with reference to pensioning the four officers, you reported against pensioning Mr. Maclear because you said there was not another man sufficiently trained?—No; no trained man.

566. Did you then take steps to train a man?—We had not a man whom we could spare to train, not one; the only capable man was Mr. Matthews. A man requires to have some little knowledge of surveying to be able to do that work, and Mr. Matthews was the only man who could do it. He was engaged on Bechuanaland and other work.

567. When Mr. Maclear died, had Mr. Matthews any experience of the work at that time?—Yes, he had a good training under Mr. Maclear.

568. At the time when this Minute was sent to you, was Mr. Matthews then working under Mr. Maclear?—Yes. Mr. Maclear was then training him. Here is a memorandum from Mr. Maclear on the 17th of October, 1904:—"By dint of hard work, the cases in which amended title can now be issued are reduced to four, and I trust to be able to dispose of them during the week; possibly also the rush for sub-division of property may slack off, in which case the applications for amended registry will fall off, and last, but not least, Mr. Matthews' hands are so full just now of his own work that I cannot call upon him just yet, though I show him every stiff case." That was on the 17th of October, 1904, in answer to a memorandum in which I asked Mr. Maclear whether he was taking Mr. Matthews in hand.

569. You were therefore preparing a man to take Mr. Maclear's place as soon as possible?—Yes, but this work cannot be learnt in a day, it takes a year to train a man to do it properly.

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570. We have it in evidence that there was a great deal of laxity in the office generally, both as regards these convivial meetings and as regards leave of absence, that men went on leave without any special reason: is that so?—No. men only went on leave when they were entitled to it. Men are entitled to a certain amount of leave every year, and they get sick leave on a doctor's certificate, we are bound to give them leave then. we cannot get out of it if there is a medical certificate produced.

571. Is there much difference in the office since the change was made?—No; they have additional men, seven or eight new men; some of the old men have come back. Now we have much easier work I consider.

572. Has the sub-division under the Glen Grey Act given a great deal of work, the issuing of titles?—No. we have practically done with Glen Grey.

573. I suppose there is work of more or less the same type?—Yes. There is a lot of writing to be done in drawing out new titles. It is more mechanical work than anything else. amended titles are a different thing.

574. When Mr. Bowden came back from the interview with the Prime Minister, what was the purport of his conversation with you?—I may state that I met him merely by accident. There is a little staircase running up to the office, and as I was going down I met Mr. Bowden coming up. At that time he was a great friend of mine. I said, "Hallo, where have you been?" He said "I have just been to the Prime Minister's office." I said, how is that: how is it he did not send for me?" We were then on very intimate terms. I said to him, "Well, this is the last straw that breaks the camel's back. I cannot stand an indignity of this sort." I then drafted a letter of resignation and showed it to him. That shows how intimate we were.

575. What was the reason of your resigning?—
 Because Mr. Bowden had been sent for instead of me. I thought it was an indignity to me to send for Mr. Bowden when I was the head of the office. I may say that at that time he had very little knowledge of the working of the office: he had been there about 20 months. Mr. John Horne was there for 38 years before he was made Surveyor General: he had to serve an apprenticeship of virtually 38 years. Mr. Marquard was there for 32 years and Capt. Jurisch for 23 years before they became Surveyor-General, so how can a man who is only in the office for less than two years get sufficient experience to become Surveyor-General of the Colony, without any practical knowledge of surveying. He surveyed two or three little Kafir locations up at King William's Town that any novice of a surveyor could do.

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576. Did you infer from this interview with Mr. Bowden that you would be superseded and not be appointed?—No: it was never mentioned, but it seemed to me very funny. Mr. Bowden seemed to me to be in the confidence of the Minister before that, because every Sunday of his life he used to spend with me for years and years past, but about a fortnight before this happened, he came to me and told me that Mr. Hall had applied for the Surveyor-Generalship, so how could he get that information unless he was in the confidence of some one high up.

577. I want to know this, had your resignation anything to do with the idea that you would be superseded?—Not as far as I know. I thought I had been treated very badly indeed by Mr. Bowden being sent for, as I was the head of the office. I should have been consulted, I considered. I was doing the work of two men for 10 months, so it was a very poor way of recognizing my service. I did my very best, and I defy the Government to bring a single legitimate instance of any maladministration during my time, or any irregu-

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larity. I think the evidence of Mr. Currey and Mr. Tooke will show that, as they could not give a single instance.

578. *Mr. Oliver.*] At the present time who is doing the work that Mr. Matthews did in connection with Bechuanaland?—I cannot say.

579. You say that that was very important work, and no one could undertake it except he was a surveyor. Mr. Matthews has been moved into Mr. Maclear's place, has he not?—I cannot say who is doing the work Mr. Matthews used to do.

580. You also said that these complaints you have referred to were the only two that you received?—As far as I can recollect.

581. Was there not a number of verbal complaints?—Never. There may have been idle talk outside the office. The attorneys in Cape Town always expect to receive preferential treatment as it were, because they happen to be here; they do not consider that there are hundreds of attorneys up-country, who all have cases as well.

582. Have no complaints been brought to your notice, either through the Colonial Secretary or anyone else?—Never; only the two cases I have referred to, so far as I can recollect. There may have been one or two more.

583. *Mr. Maasdorp.*] With reference to the complaints about delays, those complaints do not really apply to the time you were acting; it appears that delays were taking place before; as far as the evidence goes, there were no greater delays during your time, but there is evidence about the want of discipline and so forth. Of course that may have crept in before your time, before you were responsible for the conduct of the office; but do you consider that there were reforms required in the office?—I think that reforms were required, but I had a certain number of men given me and I had to make the best of it. Certain material was given me to work with, and at that time, of course, retrenchment was the order of the day.

584. You say that reforms were required?—I think so certainly.

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585. You acknowledge that?—Yes.

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586. Then there must have been irregularities and a want of discipline?—No, no irregularities actually, but I think we wanted a better class of men, more professional men. I consider that in that office the Surveyor-General wants first class professional men, not simply a lot of clerks who do not know how to deal with land questions.

587. Still, you think that reforms would have been desirable?—I think so.

588. You would have been prepared to carry them out if you had been the permanent head of the Department?—Yes.

589. *Mr. Jagger.*] Has not the Minister sometimes meetings with deputations on land matters and so forth?—Yes.

590. Were you generally with him at such times or did you send an officer of your Department?—I have only once been to a deputation to a Minister: only to Mr. Fuller.

591. In other cases have you sent an officer. Did you ever send Mr. Bowden?—No, never.

592. *Mr. Malan.*] At any other deputations have you met the Minister on land matters?—There was only one instance.

593. Would you know of such a case?—There may have been deputations without my knowledge.

594. *Mr. Jagger.*] Great stress is laid by the officer in charge of amended titles with regard to the great care and caution taken: do you remember the case of Blake, at Constantia, where Parliament had to make a grant of £1,500 in order to cover up a blunder in the Surveyor-General's Office. A grant of land was given twice over?—Yes. I remember that.

595. Who was to blame in that case?—It was not an amended title case.

596. But it was the fault of the office, was it not?—It was not in my time. One of the draughts-

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men who is dead now had omitted to record this title in the plans: that is how it happened. A second survey was made, and then this second grant was made.

597. Who was the chief then?—I cannot say. I did not investigate the case. It was not in my time.

598. About these officers being absent: there is an imputation that you were a little too liberal with regard to leave of absence and dealt too leniently in the case of sick leave and so on?—No. I only gave leave when I was absolutely obliged to. I could not spare the men. If you look at the list, you will find that most of the men were away on sick leave, and cases of that sort.

599. *Chairman.*] Convivial meetings, I suppose?—No, that had nothing to do with it.

600. *Mr. Molleno.*] Who was away?—Capt. Jurisch was away on sick leave, and Mr. W. Horne was away.

601. Mr. Horne is not a convivial man, is he?—No. Then there was Mr. Stapleton.

602. *Mr. Malan.*] Is he a convivial man?—No. They are all steady men.

603. Who else?—Mr. de Smidt.

604. What was he away for?—Sick leave. He was three months away on sick leave.

605. *Chairman.*] We have it in evidence that the heads of departments who were in touch with you then, that is, the Under Secretary and the Under Secretary's assistant, thought that you were not strong enough, in other words, there was an impression that you were a very good fellow, and that you would not do any odious work that might be needed in order to bring about a reformation; it really required a good bit of courage, in fact?—All I can say is this, I set my teeth like a flint against all jobbery. I never would allow anything of that sort to take place under any circumstances. I gave no one any preference.

606. There is no suggestion of that. The suggestion is that you were not strong enough to deal with the reforms needed in the office, which would involve pension and that sort of thing ; you would rather not have that work to do, and if it had to be done at all, a keener man than yourself was needed?

—That is absurd, and I do not know how such an impression can be arrived at. No one could have been keener than I was, although I do not want to appear egotistical.

607. Take an illustration. A Minister in office receives reports from his Under Secretary or the Under Secretary's assistant. Certain representations are made to him, and assume that those representations are of such a nature that he feels he has not sufficient confidence in his subordinate that he is willing or able to do what he considers necessary in order to bring an office into line and stop any irregularities. The amount of leave, for instance, might be abnormal, or there might be other irregularities. Do you not think it is the duty of a Minister to subordinate his own personal considerations to the interests of the public service?

Yes, certainly.

608. In this case can you suggest any motive on the part of the Minister when dealing with this question for appointing someone else whom he is favourable to. You admit that a Minister is bound to make the considerations of the public service paramount, and that he is bound to give effect to what he considers right?—Let him bring a single proof, and I will not say a word. Let him give any proof that I have given cause for dissatisfaction.

609. Suppose he had, for argument's sake, wrongly come to the conclusion that it was in the public interests that such a change should be made, he would be bound to give effect to his views, even erroneously, would he not?—If he had undoubted evidence, I would not say a word.

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610. We have it in evidence that representations were made that the office was badly conducted and there was no hope of reform being carried out?—I do not see how he can blame me, considering the circumstances I was placed in. Capt. Jurisch had virtually been sick for three months, and I took up his work, and I had to make the best of the office and put up with things as I found them. Moreover retrenchment was going on, and there was a great pressure of work in the office. All these additional subjects were given us to work up, and it was just at the fag end of the land boom, when amended title cases were more numerous than usual.

611. Can you account for so much sick leave being given in your office before your time?—I consider the place is very unsanitary. There is something radically wrong. Three men have died of paralysis in my time. We have often had the temperature over 100 in the shade in our office in the summer.

612. *Mr. Molleno.*] There is a memorandum of Mr. Tooke's undated, which I will read:—

“The Minister.—With reference to our conversation of to-day and in terms of your request, I beg to record in writing my recommendation as to the appointment of Surveyor-General in place of the late Capt. Jurisch. Mr. van Renen is the First Assistant Surveyor-General. His appointment dates from 1st September, 1897. He enjoyed, previous to his appointment, a high reputation among the members of his profession and with the public as a capable surveyor. It may be doubted whether he has qualifications which enable him to maintain discipline in a large office and give satisfaction in dealing with the public and in advising the Government in many cases where the interests of the Government and

the private and local interests are in conflict. At the same time it would be admitted to be a serious step to place anyone over his head unless there were strong reasons to advance in support of such a course. Mr. Frank Molteno, on being consulted, confidentially took that view, and could not name any surveyor so distinguished above the others for his exceptional qualities to justify this step. Mr. Cornish-Bowden is the Second Assistant Surveyor-General: his appointment dating from 20th January, 1903. I have had no acquaintance with Mr. Bowden beyond that arising from official intercourse, but I may say that I was very much impressed by the capacity and character evinced in his reports to this office. Of his professional abilities I am not competent to form an opinion, but knowing as I do from long experience dating from 1882, that the most necessary qualifications for a Surveyor-General are ability to control and enforce discipline in a large office: to take wide and sound views as regards land matters where they affect the public, and to give free and decisive expressions to the opinions which he holds. I may record my opinion that with the exception of the late Mr. Marquard, I have not met with an officer in the Survey Office who has so completely satisfied me as to his ability. Mr. Murray, Registry Surveyor, is an officer bearing a good reputation, who might suitably be appointed to fill a vacancy in the Survey Office. His service in the Deeds Office dates from November 4, 1893. He is, therefore, of longer service than Mr. van Renen, and is not likely to serve under Mr. Bowden. I would regret any appointment of an officer, however capable, by which we might stand to lose Mr. Bowden's services—for Mr. Bowden's value

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is known, and the other officers' suitability would still require to be tested. Mr. Gilbert Hall's name has also been mentioned. I regret that I know little of this gentleman, except that he also is a highly qualified surveyor, but it seems unlikely that he would care to take a post below Mr. Bowden, and if placed above him we should still run the risk of replacing Mr. Bowden (should he resign) by another man perhaps as capable, but on the other hand, perhaps not. I, therefore, beg respectfully to advise that Mr. Bowden be appointed as Surveyor-General, and be allowed to select his Assistant or Assistants if two are really required. I assume that Mr. van Renen would resign."

Have you seen that document?—No, never.

613. This document Mr. Fuller tells us, was in his private drawer and could not be produced to the Select Committee last year?—If you look at the evidence, taken last year by the Select Committee, you will find he said he was never consulted as to my supersession.

614. *Mr. Malan.* When you sent in your resignation to the Minister, were you asked for your reasons for it?—No.

615. Did you state in your letter of resignation why you resigned?—I stated broadly that it was on account of the treatment I had received.

616. You had an interview with the Minister or Mr. Currey, in connection with your resignation, had you not?—No, not before I resigned.

617. Did they ask you for an explanation before they accepted your resignation?—I gave an explanation to Dr. Jameson, in the first instance, at the interview I had with him.

618. And you sent in your resignation?—Yes.

619. And that resignation was accepted?—Yes.

620. Did they send for you and say "Look here, here is your resignation, what is the matter?" Did they do that?—No.

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621. *Mr. Maasdorp.* There is another point I want to ask you about. When Mr. Fuller had the interview with you, and the question of your withdrawing your resignation was broached, why did you withdraw your resignation?—Because he had given me, as his reason why he wished to supersede me that I was too old, that I could only serve, in the ordinary course of things, for two years: he wanted a man who could carry on to fruition the schemes which had been formulated.

622. Did you discuss with Mr. Fuller this slight that was offered you by sending for Mr. Bowden?—No. I did not discuss it with him. I discussed it with Dr. Jameson, who, I suppose, gave Mr. Fuller the drift of what I had said. I presume Mr. Fuller must have known what I told Dr. Jameson.

623. Did Mr. Fuller ask you why you sent in your resignation?—No, he did not ask me why I sent it in. He simply stated that Dr. Jameson had told him about my interview and that he was impressed with what I had said, and then he assured me that his only reason of my being superseded was my age.

624. So he practically admitted to you that his sending for Mr. Bowden was with the view of superseding you?—Yes. In the light of the facts as I know them at present.

625. *Mr. Jagger.* At the time of the interview with you, Mr. Fuller did not say anything about Mr. Bowden getting the post?—No, not at that time.

626. I suppose his name was not mentioned really?—No: it was mentioned afterwards.

627. *Mr. Malan.* What was your relation with Mr. Currey: had you any difficulties in working with him?—No. I never had any difficulties with him that I know of.

628. Were you on a friendly footing?—Yes.

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629. And with Mr. Tooke?—And with Mr. Tooke too.

630. Did they ever intimate to you, or did you ever notice anything in their behaviour to lead you to think that they had anything against you?—No, I never suspected the slightest feeling on their part.

631. *Mr. Jagger.*] I gather from what you say that you are somewhat dissatisfied with the material in your office, the men under you?—I did not say that. I said reforms could be made in the office. That I admit.

632. You said that you had to work with unsuitable material or something to that effect?—I had to make the best of the material I found at the office.

633. You were not altogether satisfied with it, were you?—Some of the men were getting old; and I thought we ought to have more professional men in the office.

634. When retrenchment was going on, did not the Government suggest to you the retiring of officers who had attained the age of 60?—Yes.

635. Why did you raise any opposition to that?—I asked that Mr. Maclear should be kept on for a couple of years, while we could train a man to take his place. He was quite well at the time and perfect at his work. I wanted him to train a new man for the work.

636. Would not you have thought it a good opportunity for you to have reorganized the office and get rid of the older men?—How are we to train men; you cannot give work of this sort to new men; we should have landed ourselves in a hopeless state of confusion; they could not have got on with the work, you must train new men for the work.

637. *Mr. Malan.*] The four names were Capt. Jurisch, Mr. W. Horne, Mr. Brink, and Mr. Maclear. You sent a Minute to the Minister or Under Colonial Secretary; about Capt. Jurisch you said

nothing; he was away; about Mr. Horne you said he had consented to go and therefore you recommended that; and with regard to Mr. Brink you did recommend that he should go?—No.

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638. What has become of Mr. Brink since?—He is still there, Mr. Brink is an invaluable man in the office, and absolutely no one can take his place without a good training.

639. Surely Mr. Brink has passed the age of 60, are not they training up somebody to take his place?—It is felt in the office that we are undermanned altogether: they never would give us sufficient men.

640. *Mr. Jagger.*] Do you consider the office is undermanned now?—Not now perhaps, but we want more professional men. There are sufficient clerks to carry on the work, but we want two first class professional men in addition.

641. *Mr. Malan.*] It rather makes a peculiar impression on the Committee when you say that there is nobody who can do this work. Suppose Mr. Brink died, what would happen?—They could do the work in a way, but not as efficiently as he does it; that is where we should miss him.

642. Mr. Brink is still in the office, is he not?—Yes.

643. And still doing that work?—Yes; he is in perfect health, and he gives great satisfaction. He does in an hour what it would take another man two hours to do.

644. *Mr. Molleno.*] He does highly technical work, does he not?—Yes; all the compilation work.

645. *Mr. Malan.*] Then there is the case of Mr. Maclear?—If Mr. Maclear had been an officer not worth having in the office, surely they would not have kept him on for 15 years and never allowed him the holidays he was entitled to. The reason he never got a holiday was because he could not be spared, and he was a willing horse; he simply went on with his work, and did not mind whether he got a holiday or not.

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646. *Mr. Maasdorp.*] Was Mr. Currey the head of the Agricultural Department?—Yes, he was the permanent head of the Agricultural Department at that time.

647. Was the Surveyor-General in a subordinate position to him?—Yes.

648. Did Mr. Currey ever come into the Surveyor-General's Office to examine into things?—Never in my time.

649. At any time can you remember his making representations as to things being unsatisfactory in the office?—Not as far as I know.

650. Being the head of the Department, he would, I suppose, have had a right, in case he considered things were not satisfactory, to make representations to the Surveyor-General?—Yes, a perfect right.

651. And the Surveyor-General would have had to carry out his instructions?—Yes.

652. You say he never availed himself of that right to give instructions?—No.

653. What position was Mr. Tooke in?—He was next to Mr. Currey ; Assistant Under-Secretary for Agriculture.

654. Was the Surveyor-General subordinate to him?—I do not know that he was. The Surveyor-General is the head of his own Department, but we were all under Mr. Currey.

655. *Chairman.*] Mr. Tooke was acting for Mr. Currey when he was away, I believe?—Yes.

Monday, 6th August, 1906.

PRESENT:

Mr. OATS (Chairman).

Mr. Jagger.

Mr. Oliver.

Mr. Molteno.

Mr. Malan.

Mr. Maasdorp.

Mr. Frederick William Green, examined.

656. *Chairman.*] I believe you are the Private Secretary to the Secretary for Agriculture?—Yes.

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657. With reference to the appointment of Mr. Cornish-Bowden as Acting Surveyor-General, and the supersession of Mr. van Renen, have you any knowledge of the circumstances of the case: will you make any statement?—The only knowledge I have is of course from interviews I would be present at, interviews between the Minister and the Under-Secretary or the Acting Under-Secretary.

658. Will you tell the Committee what you know about those interviews?—With reference to the meetings with Mr. Currey, I was present at several when the matter was discussed. Mr. Currey's view was this, that he had experienced considerable difficulty with Mr. van Renen in connection with the reorganization scheme he wanted to introduce into the Surveyor-General's department.

659. *Mr. Malan.*] Did he state the nature of the difficulty?—It was in connection with putting more responsible work on the Surveyor-General's department, and he led Mr. Fuller to understand that he had difficulty in getting Mr. van Renen to undertake this extra responsibility.

660. Was it on account of Mr. van Renen's unwillingness to do the work, or did he complain about want of room?—I could not say that. That is all I gathered. This was before Capt. Jurisch's

Mr. death. He died on the 20th of August, 1904.
 F. W. Green. After that, there were several conversations as to
 — filling up the vacancy.
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661. *Chairman.*] Were you present?—Yes. There were several names mentioned, and Mr. Currey was always strongly of opinion that Mr. van Renen did not possess the necessary strength to carry out the reorganization of the office. There was an application from Mr. Hall, who was then on location survey in the Transkeian Territories. Mr. Currey was very much of opinion that a strong step should be taken, and that Mr. Hall should be appointed, in fact, I remember he used to say, “my man is Hall.” I think that is the position. With regard to Mr. Tooke’s attitude, you have his memorandum.

662. Have you seen that memorandum?—Yes.

663. There is no date to it, is there?—No.

664. *Mr. Maasdorp.*] Were you present at the interviews between Mr. Tooke and the Minister?—The matter was discussed in an informal way. There was a good deal of consideration about filling up the appointment.

665. *Mr. Jagger.*] Was there any feeling on Mr. Currey’s part against Mr. van Renen?—No personal feeling.

666. Would you say from what you know, that it was solely the matter of efficiency in the office that actuated Mr. Currey in this matter?—Certainly. There having been several complaints of late, they were considering what was best to do to obviate the delays and so on. When we had the land branch in our office, all the correspondence first came to us, and the papers were then referred to the Surveyor-General for report. I suppose in about 70 per cent. of the cases we would simply communicate the Surveyor-General’s report to those concerned. That was a needless duplication of the work.

667. How long had Mr. Currey had this idea of reorganization in his mind, would you say?—I

think it was spoken about ever since Mr. Fuller came into office.

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668. Not prior to that?—It may have been, but not to my knowledge. I have been in the Department 12 years, and as long as I can remember almost they had spoken about this duplication of the work, and it was thought that steps should be taken to obviate it. It was always considered to be a fairly simple matter to throw it on to the Surveyor-General's office.

669. Were you present at any consultations that took place between Mr. van Renen and Mr. Currey as to the reorganization of the office?—No.

670. Do you recollect any distinct recommendation on the part of Mr. Currey that Mr. Bowden should be appointed?—No; not Mr. Bowden, but Mr. Hall. He was in favour of Mr. Hall.

671. There is a memorandum put in, drawn up by Mr. Tooke?—Yes.

671A. You are private secretary to Mr. Fuller, why was not that memorandum produced last session: did not you know of it?—I knew there was such a memorandum, but I was not called, and I did not know where it was. It turned out afterwards that it was in Mr. Fuller's drawer.

672. Was that drawer locked up?—Yes.

673. And if you had wished to produce it, you had not access to it?—No. Of course the Minister gets several confidential memoranda from the heads of departments which are not passed through the books of the office. Even at the time I had no knowledge that that memorandum had not been placed before the Committee by Mr. Tooke. I only saw the evidence after the Select Committee's report was printed, so even if I had had access to it, I would not have been any wiser.

674. Was the drawer locked all the time that Mr. Fuller was away?—Yes.

675. Did you take notes at any of the meetings?—No. I was only present. I am very often present when the Minister is discussing any matter with

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the head of the department. I may be in the room doing other work, and then I know what goes on.

676. *Mr. Maasdorp.*] You say Mr. Currey thought that Mr. van Renen was not sufficiently strong to carry out this reorganization scheme; was that the only objection he had to Mr. van Renen, or was there anything said about want of discipline in the office, which occasioned the delays complained of?—Yes; the matter of delays often came up.

677. Was that ascribed to inefficiency on the part of Mr. van Renen; did Mr. Currey give you the idea that he looked upon it as the fault of Mr. van Renen?—Not so much the fault of Mr. van Renen; he did not consider him strong enough to remedy this matter of the delays.

678. And not strong enough to reorganize in other ways?—Yes.

679. Mr. Currey thought he was not strong enough for that?—Yes, as he had evinced objection to carrying the schemes out.

680. But you did not hear the matter of the want of discipline discussed by Mr. Currey with Mr. Fuller, ascribing inefficiency to Mr. van Renen?—No. He may have considered that he was not able to prevent it.

681. Was there a talk about want of discipline at all in the office: did he complain of that?—There was a talk about a want of discipline in the office for many years.

682. You know that of your own knowledge?—Yes.

683. This was an old standing thing, this want of discipline. It was not only in Mr. van Renen's time was it?—No.

684. Was there a want of discipline which the head clerk could have prevented?—I do not think it is fair to ask me that.

685. Did Mr. Currey complain to Mr. Fuller at all about the want of discipline?—Not in my presence.

686. All he said was, that Mr. van Renen was not strong enough to carry out any reorganization scheme?—Yes. He told Mr. Fuller that Mr. van Renen had refused to take the additional work.

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687. *Mr. Jagger.*] What do you mean by “refused.” That is a very strong term?—He had refused to take on the whole of Mr. Currey’s schemes. If you will read Mr. William’s memorandum, you will see that he only took on a partial scheme.

688. Did he actually decline to take on the full scheme?—I only know what Mr. William’s memorandum says.

689. *Mr. Maasdorp.* Was Mr. Currey strongly of opinion that Mr. van Renen was not strong enough?—Yes.

690. He impressed Mr. Fuller with that idea?—Yes. He was strongly in favour of Mr. Hall being appointed.

691. *Mr. Jagger.*] Had Mr. van Renen any difficulty in getting at Mr. Fuller personally? I noticed from his evidence he said that he had great difficulty. To my knowledge, he did ask to see Mr. Fuller once, but Mr. Fuller did not see him. At that time, Mr. Fuller was away very much from town. He had gone up country on various matters in 1904.

692. Do you mean to say that you were private secretary, and only on one occasion did Mr. van Renen apply for an audience with Mr. Fuller, and he did not succeed in getting it?—Through me. He also asked Mr. Currey. Mr. van Renen makes a point in his evidence as to not being able to see Mr. Fuller, and the Committee have evidently come to the conclusion that from the time Mr. Fuller came into office till the time he went to England he had not any interviews with Mr. van Renen, but I would like to say, that Capt. Jurisch was there from February to May, 1904, and he, as permanent head of the department, had interviews with Mr. Fuller on several occasions.

Mr. 693. With regard to what ?—With regard to the
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Aug. 6, 1906. 694. Why did not they send for Mr. van Renen when he took on the work ?—He was only acting for the time being. I do not know why it was. Probably the Minister had found out from Capt. Jurisch what he wanted. He was the permanent head of the department. Mr. van Renen's was only an acting appointment. At that time, Capt. Jurisch was expected to come back.

695. *Mr. Malan.*] Did he send for Mr. Bowden at all at that time ?—No. he never sent for Mr. Bowden. Mr. Bowden was sent up on one or two occasions when the work he was particularly dealing with came up for discussion ; for instance. a deputation might come up.

696. Did he come in contact with Mr. Bowden to find out what his personality was ?—I could not say.

697. *Mr. Molleno.*] Mr. Fuller says that he saw him at least a dozen times ?—He said he had met him at least a dozen times, but not in the office. he might have met him outside.

698. *Mr. Jagger.*] Who was it suggested Mr. Bowden's name ?—I don't know who first suggested it, but his name came up for discussion as being the next man in the office, and then, of course, there was Mr. Tooke's memorandum.

699. Did the recommendation on behalf of Mr. Bowden come from Mr. Tooke ?—I would not say that it first came from him, but there is the recommendation.

700. *Mr. Malan.*] You say that you have no recollection that Mr. Currey gave the nature of the difficulties raised by Mr. van Renen in taking over this additional work ?—No.

701. As to the want of discipline in the Department, was that an individual case ?—The case I referred to was the most flagrant case in my recollection.

702. Were there other cases, too?—There is another case I know of, but the man has resigned now. He was allowed a lot of latitude, but they put it to him that if he did not resign he would have to go. He was there also at the time when Mr. van Renen was acting.

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703. Do you know of any other cases?—No.

704. *Mr. Maasdorp.* The particular case you speak of existed really before Mr. van Renen became Acting Surveyor-General, did it not?—Oh, yes.

705. *Mr. Molleno.* You now say you can charge your memory distinctly with any conversations that took place between Mr. Currey and Mr. Fuller as regards this appointment?—Yes.

706. What were you doing when these interviews took place?—I would be in the room probably when Mr. Currey came in.

707. Do not you go out of the room generally when people come to see the Minister?—No, I stay in the room.

708. Because we asked the question, and Mr. Currey said he did not think you were present?—He said I might have been present.

709. This question was put by Mr. Malan when the Select Committee sat last year, “during the discussion with the Minister, was anyone else present, or were there only you two?”—(a) I think only we two: I cannot recollect that anyone else was there. Possibly Mr. Green, the private secretary, might have been present once or twice, but I do not think he was?—Yes. I used to be present at nearly every interview.

710. You know the evidence that Mr. Tooke gave?—Yes.

711. This question was put, “Then you support the conclusion of the Minister in that direction?” (a) Yes: assuming that Mr. van Renen was to be superseded, I think Mr. Bowden was the best appointment. I did not want to go into that, and it was not put before me. (q) It must have occurred

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to you that the Minister was taking a rather important step: here was an officer of long practical experience, who had been longer in the office, who had a knowledge of Dutch? (a) That was outside the question for me to deal with. Mr. Malan. What do you mean by that? The minister told me it was absolutely decided to supersede Mr. van Renen: my opinion was not asked on it, and I could not give it: I merely gave my opinion on Mr. Bowden's qualifications"—He also said that he had never put his recommendations in writing.

712. Both these officials gave us the impression last year that it was a matter outside them altogether, that they had nothing to do with it; they had merely to carry out instructions. Now do you wish to convey to this Committee that Mr. van Renen refused to carry out instructions from the office with regard to reorganization?—No. I do not say it was an instruction.

713. Do you mean this, that he indicated that more difficulties might arise?—I did not act between Mr. Currey and Mr. van Renen. You have Mr. William's memorandum as to what took place.

714. Do you know that during Mr. van Renen's time most of these innovations were carried out in the office?—No.

715. Were they carried out before the death of Capt. Jurisch, so far back as July, 1904?—No. I would not know that. I only know that Mr. van Renen only took a partial scheme, not the whole.

716. *Mr. Maasdorp.*] You were not present at any of the interviews that took place between Mr. Fuller and Mr. Tooke?—The matter was frequently discussed in an informal way with Mr. Tooke as well.

717. What impression did Mr. Tooke leave on your mind?—He was also of opinion that Mr. van Renen was weak. I was never present at any interview where he recommended Mr. Fuller to supersede him, but his memorandum of course is there.

718. *Mr. Molleno.* Did you know anything about Mr. Tooke's interview with Mr. Molteno, the late Deeds Registry Surveyor; was that communicated to you?—It was communicated to Mr. Fuller by Mr. Tooke. I know about that.

719. *Mr. Jagger.* Mr. Tooke evidently had the same impression, that Mr. van Renen was not strong enough to carry out the reorganization?—Yes.

720. That is your distinct recollection?—Yes.

721. *Mr. Oliver.* Can you give us any information with regard to these convivial meetings. There is a general impression that the discipline in the office was very lax, the general conduct of the office during that time and before Mr. van Renen was acting?—Whatever I do know would only be hearsay.

Mr. Walter Pears Murray, examined.

722. *Chairman.* What is your position?—I am Registry Surveyor at the Deeds Office.

723. How long have you been there?—13 years.

724. Can you tell us anything about the condition of affairs in the Surveyor-General's office, as a whole or any part of it?—Personally the only dealings I have with the Surveyor-General's office are with regard to amended titles. There have been a great many complaints by conveyancers and surveyors about the delay in getting these titles through. In January, 1905, Mr. van Renen went on leave for a month, and the Surveyor-General asked the Law Department if they would allow me to go over for a month to do Mr. van Renen's work while he was away. When I went over there the Surveyor-General, Mr. Bowden, said that he wanted me to look particularly into these amended titles on account of the complaints that had been made. The first thing I did when I got there was to ask the clerk doing the clerical work in connection with this matter to give me a return of all the amended titles outstanding. That return was prac-

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tically the same as the return that was presented to Parliament during last Session, and from that I found there were a great many outstanding ; some of these I should think had been outstanding more than a year. Another thing I asked the clerk was, whether the notices in connection with a certain part of Act No. 9 of 1879 had been inserted in the *Gazette*. The Act provides that before an amended title is issued, 60 days' clear notice must be given. He said, no, none of these notices had been put in the *Gazette*. When I asked him why, he said it was not the practice. There seemed to be no other reason. I asked him what the practice was, and he said, when the title was ready for issue, then a notice was inserted. The papers were put aside for 60 days, and nothing was done during that time, so that there was a loss of 60 days in every case. There seemed to be no reason for this, except that it was not the practice. I said he must put in all the notices at once, and this was done during the month I was there. The Surveyor-General agreed that it should be continued after that. When Mr. van Renen came back again he objected to this being done, but after a certain amount of correspondence had passed between him and Mr. Bowden, Mr. Bowden insisted that this should be carried out, and in that way a clear 60 days are now saved. There is that amount of saving in the issue of amended titles.

725. The 60 days' notice was obligatory?—Yes, there must be 60 days' clear notice. The investigation was made while the 60 days were running.

726. *Mr. Molleno.*] What is the Act?—Act No. 9 of 1879.

727. What is the section?—I cannot say from memory, I think it is section 7.

728. *Chairman.*] It was not really a loss of 60 days, was it. It was the loss of time while they were investigating? They did not publish until they had finished all the investigations.

729. Which might have been 20 days or 100 days?—Sometimes a couple of years.

730. *Mr. Jagger.*] You say the outstandings were sometimes over twelve months?—Yes, well over twelve months.

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731. How long do you think the oldest was?—I cannot say.

732. What was the reason for all that delay?—I would not like to say. There was a great deal of unnecessary delay I think.

733. *Mr. Malan.*] Who was the officer in charge of amended titles?—Mr. van Renen was in charge of amended titles as the professional man in charge. The clerk who did the clerical work was the late Mr. Thomas Maclear.

734. *Mr. Jagger.*] Was there any inefficiency, or was it inattention to the duties of the office?—Chiefly the latter, I think.

735. Neglect of work?—Yes.

736. On the part of the officer in charge?—Yes. In my opinion the officer in charge should have seen that the work was done.

737. That was Mr. van Renen?—Yes.

738. Was he cognizant of all these facts, that there was so much neglect of work and that there were these delays in the amended titles?—He could not but have been cognizant of it. The complaints were very general. I may state that in my position as Registry Surveyor, I am in daily touch with all the conveyancers in town, and I should think that nearly every one of them at one time or another has complained to me about the delay in getting amended titles through. It was chiefly in 1903-4, when the land boom was on. In many cases persons had to wait till they got their amended titles through before sub-dividing.

739. *Mr. Malan.*] Did the boom affect the amount of survey work?—I think it did to some extent, but not very largely. People would have gone in a great deal more for amended titles, but they said the delay was too great, and they did anything to avoid it.

Mr. 740. *Mr. Jagger.*] It was not the boom that
 W. P. Murray. caused the delay, was it?—This delay had been
 Aug. 6, 1906. going on for many years.

741. And no steps were taken to remedy things?
 —No.

742. Did the delays occur through want of staff in the office?—No, the delay now is not nearly so great, and they have the same staff.

743. It has been represented to us that the staff is inadequate to deal with the work; what is your opinion?—I do not think so at all. I think most of the members will know that all through the service there was a considerable amount of extra work during the land boom and owing to the general prosperity in the country. In our office, the Deeds Office, for instance, the increase of work was very much greater, as we dealt with all the transfers and bonds, but there was no delay. The office hours were then from nine to four o'clock, but if the work was not finished we naturally did not leave at four. I do not think the men—at all events, not more than one or two in the Surveyor-General's office—ever stayed after four o'clock. I do not approve of anyone, as a general rule, staying after office hours, but in the case of a pressure of work, it sometimes has to be done.

744. Were you brought much in contact with the Surveyor-General's office prior to being sent there?—Since I have been in the Deeds Office, amended titles, after being passed by the Surveyor-General's office, came over to me, and I sent them downstairs.

745. Is the same discipline maintained in your own office as in the Surveyor-General's office?—No; they had rather a lax way of doing things; there was waste of time, and so on.

746. Was the discipline in the Surveyor-General's office lax, in your opinion?—In my opinion, it was.

747. Very lax?—I should say it was.

748. *Mr. Malan.*] In all the branches?—I think, generally, in all branches of the Surveyor-General's

office. They had got more or less into a lax system of doing things: they had gradually fallen into this.

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749. Had you any opportunity of judging of that?—I was frequently in the office: and our work takes me into the Surveyor-General's office a good deal—every two or three days, at all events.

750. Your contact with that office was mainly in connection with amended titles. I suppose?—Yes, and with the drafting branch.

751. The amended titles were in the hands of Mr. Maclear?—He did the clerical work.

752. During the time of Capt. Jurisch's absence, Mr. van Renen had to do the Surveyor-General's work, of course?—When he was Acting Surveyor-General. I may mention that Mr. van Renen, ever since he has been in the Surveyor-General's office, has had charge of amended titles.

753. My point is, that during the time that Capt. Jurisch was away on sick leave, and after his death, Mr. van Renen had to do his work, too?—That I know nothing about.

754. But you would expect that, would you not?—Naturally you would think so.

755. *Mr. Maasdoorp.* You say that the laxity in the office had grown up for a long time: it did not come suddenly during Mr. van Renen's time?—No, it is a thing that had been growing gradually.

756. It had become part of the system?—I think so. The Surveyor-General's office was becoming the laughing stock of the Service, as many members will remember. I know many will be very much annoyed at my saying this, but it really had become that. I used to hear a great deal of that, coming as I did almost daily in contact with the conveyancers and surveyors in town.

757. When Mr. van Renen was appointed Acting Surveyor-General did he find the office in that condition?—Yes, naturally.

758. You say that he had to do with the amended title branch, so he was responsible for the delays:

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he should have seen that the work was more expeditiously carried on, he being the head of that special branch?—That was my opinion.

759. You say the Surveyor-General's office had become a laughing stock, but that office was only a branch of another larger office, that is the Agricultural Department?—Yes.

760. Should not the head of the Agricultural Department be to some extent held responsible for this condition of things?—I think the head of a department is responsible for the work of his subordinates.

761. And Mr. Currey was at the head of the Agricultural Department?—I believe so, but naturally the Surveyor-General would be responsible for the conduct of his own office.

762. *Mr. Malan.*] When did Mr. Maclear die?—He went on pension before he died.

763. When did he go on pension?—I am not sure of the date. It was some time in 1905.

764. How long after that had you your experience in the Surveyor-General's office?—It was when Mr. Bowden was appointed Surveyor-General. He got Mr. Maclear and one or two of the older men put on pension.

765. After he was appointed permanently?—After he was appointed Acting Surveyor-General I should say: shortly after.

766. *Mr. Oliver.*] Are you still in touch with the Surveyor-General's office?—Yes.

767. To the same extent as formerly?—Yes.

768. Since the reorganization, has this laxity been done away with?—To a very great extent, in fact almost entirely.

769. Is there any delay now in the issue of amended titles?—Not nearly so much. The new man who was appointed in Mr. Maclear's place is an energetic man, and he sees that he gets as much work done as possible. He generally comes over in the case of any difficulty and consults either myself or the examiner of diagrams.

770. Is the work of the office anything like of the same proportions as it was formerly?—As far as amended titles are concerned it is quite, if not greater. Now that it is found there is not so much delay, owners of property will go in for more amended titles.

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771. With regard to these delays, extending in some cases to over a year, did it come to your knowledge whether there was any special reason to account for them?—When there was an application for amended title, many things had to be complied with before it was issued and letters were written complaining of delay, but these were put one one side, from time to time, instead of being attended to. That struck me as being a great cause of delay.

772. Were there any causes over which they had no control in connection with these long delays?—In some cases, if the surveyor was not competent, delay might be caused in that way.

773. To such an extent as a year?—I do not think so.

774. *Mr. Malan.* What is the position of Mr. van Renen in the office now, does he still hold the position he formerly held?—He is still first Assistant Surveyor-General and in charge of amended titles.

775. And notwithstanding that, there are no longer any delays?—The clerical work is now done by Mr. Matthews, who was appointed in the place of Mr. Maclear, when he went on pension.

776. When Mr. Maclear died he was succeeded by Mr. Matthews?—Yes.

777. And there was a marked improvement after this change?—Yes.

778. Mr. van Renen is still head of that branch?—Yes.

779. *Mr. Molleno.* During the time that Mr. van Renen was Acting Surveyor-General, only two complaints were made to his office with regard to amended titles, and in one case it was shown that

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the surveyor who had made the survey had left the country and gone to the Transvaal; he left no address behind him, and that caused the delay in connection with the amended title, trying to find out where this surveyor was. Do you know anything about that?—No.

780. As a matter of fact, only two complaints were made?—Officially?

781. Yes?—I can quite understand that. Most of these applications for amended titles come through the local conveyancers, and they would make complaints personally in every case.

782. Your late chief was Mr. Frank Molteno?—Yes.

783. Do you know that he was consulted officially before this change, before the supersession of Mr. van Renen by the Agricultural Department?—No.

784. I will read you what he recommended: "Mr. Frank Molteno, as far as I could gather, saw a good deal to be desired in the Surveyor's office, but did not think it was a case necessitating the supersession of Mr. van Renen." Do you agree with that opinion?—No, I do not. I think it was a case that needed drastic measures. There is no question that the office wanted reorganizing. My personal opinion is, that Mr. van Renen was not the man to reorganize matters, he was transplanted too late, he came there as a surveyor from the field, and he was too old to start office work. That is my personal opinion as to the reason why he was not capable of doing the work.

785. Do you know as a matter of fact, that from the time Mr. Fuller was appointed Secretary for Agriculture till after the supersession of Mr. van Renen, he never had one interview with Mr. van Renen as to the reorganization of the office?—I know nothing of that.

786. *Chairman.*] With regard to Mr. Matthews, who took Mr. Maclear's place, has he been there long?—He came down when British Bechuanaland was annexed. He came over from the Bechuana-land staff.

787. In what position was he?—One of the clerks in the Surveyor-General's office. Mr.
W. P. Murray.

788. In the amended titles branch?—No; he had nothing to do with that; he had to learn that work. Aug. 6, 1906.

789. Was it very intricate work to learn?—Fairly so.

790. Was it desirable that Mr. Maclear should have remained there to train Mr. Matthews?—No. I do not think so at all; he would be likely to train him in bad methods. I may mention that Mr. Matthews, whenever he had any difficulty, would invariably come over and consult either myself or the Examiner of diagrams.

791. Were Mr. Matthews and Mr. Maclear at the office at the same time?—No; he took over this work after Mr. Maclear left.

792. Did you find difficulty with Mr. Matthews in getting the work through on account of any want of experience or knowledge?—No.

793. So that no inconvenience was caused in that way. There was no difficulty in getting work through at once?—There was a great improvement immediately.

794. *Mr. Oliver.* Mr. Matthews, prior to his appointment, had the Bechuanaland amended titles?—I do not think they have ever issued any amended titles in Bechuanaland. He was only in the Surveyor-General's office up there.

795. *Chairman.*] Whose selection was it that Mr. Matthews should succeed Mr. Maclear?—I do not know. I understood it was Mr. Bowden, but I cannot say.

796. *Mr. Jagger.*] Is it within your knowledge that Mr. Matthews was trained to the work before he took over?—I understand that he was not. I do not think Mr. Maclear really could train anyone for the work, although he had been so long there. He had got into such a lax method that I think his training would rather do harm than good.

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797. You think when Mr. Matthews took over the office he only had such experience as any ordinary man could pick up?—Yes, just the same as any other man in the office. He had the Act to guide him, and it is very clear; there is very little difficulty in interpreting it.

798. It does not require a long apprenticeship to learn the business, does it?—Oh, dear no.

799. An intelligent man, accustomed to that class of work, could take it over straight away?—Yes.

800. *Chairman.*] We understand that Mr. Maclear had practically no leave, as he could not be spared?—I do not know anything about that; perhaps he did not want leave. I should not think Government would ever refuse a man leave if he had been any length of time in the Service.

Mr. Clement Foster, examined.

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801. *Chairman.*] What is your business?—I am an attorney.

802. In whose office?—I am a partner in the firm of Messrs. Findlay & Tait.

803. With reference to the conduct of affairs in the Surveyor-General's Office, with which you come into contact, will you make a statement for the information of the Committee as to anything you know?—With regard to the petition?

804. With regard to the conduct of affairs, not exactly with regard to the petition. What is your experience, as a business man, within the last year or two?—I should say that within the last six months there has been an improvement. Prior to that we had considerable trouble with the Surveyor-General's Office in getting matters attended to with promptitude; in fact, they were not attended to with promptitude, and we had to make complaints to the Secretary for Agriculture about the way things were done there. I may quote one case in particular where we applied for an amended title. The application was sent in to the Surveyor-

General's Office on the 12th of September, 1904, and we did not get an acknowledgment till the 27th. In the meantime, of course, we were under the impression that the papers were being examined with a view to notice being published in the *Gazette*. In terms of the Act, 60 days' notice has to be given. After repeated reminders, and so on, we reported the matter to the Agricultural Department.

805. With what result?—We got an acknowledgment from the Agricultural Department, and we were told that the matter would receive attention. After that, steps were taken to issue title in terms of the Act.

806. *Mr. Jagger.*] As a matter of fact, there was a good bit of delay at one time, was there not?—Yes, a good deal of delay.

807. How long would it extend over in your experience?—We did not get the title back till March. It might be a delay of four, five, or sometimes six and nine months. In one case it was nearly a year before we got the amended title.

808. What was the reason of that delay?—It seemed to me that the staff had grown too old; you could do nothing to move them; they went along in a happy-go-lucky fashion. They did not trouble about the matter at all unless you pegged away at them constantly, and there were long delays.

809. *Mr. Malan.* Who was in charge?—The Surveyor-General was in charge: he was the responsible officer.

810. *Mr. Jagger.*] Who was in charge of the amended titles?—Mr. Maclear was in charge of them, but we had to complain about other matters.

811. Do you think the discipline was somewhat lax?—Decidedly it was lax.

812. Was not there proper oversight?—I am afraid not. These men had been there for years and there seemed to be a fear to disturb them at all.

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813. *Mr. Malan.*] What opportunity had you for judging?—I was in charge of this particular branch of work.

814. What was the nature of the laxity that you noticed?—Things were repeatedly delayed.

815. What were your difficulties in connection with the office?—There were other things too; I have quoted one glaring instance where we had to complain.

816. You gave us one case of an amended title, were there other cases of the same kind?—Yes.

817. Do you have connection with the Surveyor-General's Office in other branches also?—Yes, such as the granting of mineral leases, the amending of person's names in deeds and so on. In one case it took three months to get a man's name amended in a title: an alteration was required.

818. Was that in the Surveyor-General's Office or the Deeds Office?—In the Surveyor-General's Office.

819. Who was the cause of that delay: was it not on the part of the attorneys?—Oh dear no. What can the attorneys do? They apply for an amended title, and they get no acknowledgment to start with for three or four weeks.

820. Was everything in order on the attorneys' part?—Yes, as far as we know, there were no queries at all.

821. When was this case about the alteration of the name?—I cannot give you the date. It was prior to this.

822. How long was it?—Six months or a year.

823. Can you let us have the date?—I think so. I can get it at the office.

824. Would it be about the end of 1903?—About that time.

825. That is to say when Capt. Jurisch was still Surveyor-General?—Yes, he was Surveyor-General at this particular period, I remember it distinctly.

826. You say that lately there has been a great improvement as regards the issue of amended

titles?—I would not say with regard to the issue of amended titles only, but there has been an improvement in the office.

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827. *Mr. Jagger.*] Right through the office?—I should imagine so.

828. *Mr. Malan.*] With regard to the amended titles, has there been an improvement?—We have not had any amended titles recently. In the working of the office generally, there has been an improvement latterly.

829. *Mr. Molleno.*] How long have you been working with the Surveyor-General's Office?—Since the end of 1900.

830. At that time, were things bad?—They were bad.

831. And they continued like that?—Yes, they continued bad.

832. Were they any worse during the time that Mr. van Renen was acting Surveyor-General?—No, I should not say they were.

833. Did they improve while he was acting?—No.

834. You know that at the time he was acting, there was nobody to do the work of Capt. Jurisch: he was away, and then he died, and no fresh person was given to assist?—I do not think anyone was put into the office.

835. *Mr. Malan.*] The whole of the land grants and the amended titles had to go through the Agricultural Department, and they were sent from there to the Surveyor-General's Department?—After the papers had been examined, but the delay took place during the period of examination in the Surveyor-General's Office.

836. You know that was the system?—Yes.

837. That system has been altered, has it not?—Yes.

838. Is the alteration satisfactory?—I certainly think so.

839. You approve of it?—Quite.

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840. It avoids a certain amount of circumlocution?—A great deal.

841. And that in itself would account to a certain extent for the more expeditious way in which the work is carried on now, would it not?—Up to the time that the title is actually given there must be a saving of a month at least, but I speak more particularly about the period intervening between the date of your application and when the papers are actually prepared for the Governor's signature. All that takes place in the Surveyor-General's Office.

842. The general working of the office would of course be improved on account of the alteration?—Yes.

843. *Mr. Jagger.*] You still come in contact with the Surveyor-General's Office, as before?—Yes.

844. Is it your impression that the office has very much improved?—It has decidedly; there is more go in the place.

845. And things are better looked after?—Yes, there is more expedition.

846. As regards the Dutch language, do you consider a knowledge of Dutch essential for the Surveyor-General himself?—I do not see what use it would be to him.

847. Would it not be useful in the reading of old titles, and so on?—The Surveyor-General can always have a clerk with a knowledge of Dutch in the office. He would not himself go through old titles: he would go on the reports of his subordinates.

848. These titles are examined by a subordinate officer?—Yes; and the Surveyor-General frames his recommendations.

849. *Mr. Malan.*] Clients coming from outside would go to an attorney, would they not?—Yes, or to the office direct.

850. So it is an advantage to the attorneys if the Surveyor-General does not know Dutch as the client would have to come to an attorney first?—
 Not necessarily. Mr. Brink of the Surveyor-General's Office knows Dutch thoroughly, and he is a very useful official. There are others besides him who would be equally useful.

Mr.
C. Foster.

Aug. 6, 1906.

Monday, 13th August, 1906.

PRESENT :

Mr. OATS (Chairman).

Mr. Jagger.

Mr. Malan.

Mr. Molteno.

Mr. Oliver.

Mr. Maasdorp.

Mr. William Hammond Tooke, examined.

851. *Chairman.*] You were formerly Assistant Under Secretary for Agriculture, and have retired on pension?—Yes.

Mr.
W. H. Tooke.
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852. You made a written statement to Mr. Fuller, the Secretary for Agriculture, with reference to the case of Mr. van Renen?—Yes. At the meeting of the last Select Committee, when this matter was under consideration, I regret that by an oversight it escaped my memory for the time being.

853. Did you write that statement?—Yes, I wrote it, but I have not got a copy, or else I could have produced it.

854. Have you obtained a copy since?—Since then, Col. Crewe lent me the original.

855. Was the original in your own hand-writing?—It was typewritten, and signed by myself. This is a copy, which I believe is correct. Col. Crewe, as I say, lent me the original, and I had a copy made.

Mr. W. H. Tooke. 856. Where did Col. Crewe get the original from?
Aug. 13, 1906. —That I could not say. The Minister, Mr. Fuller, was away at the time, and Col. Crewe was acting.

857. *Mr. Jagger.*] Is the original here?—I cannot say.

858. *Mr. Malan.*] When did Col. Crewe, who was then the Acting Minister for Agriculture, hand you the original copy of the memorandum which you submitted to Mr. Fuller with regard to the appointment of the Surveyor-General?—I think it was at the end of July, 1905. He called me to account for not having produced this memorandum at my examination before the Select Committee last Session, and I can only regret that I omitted to mention it: it was a mistake on my part, but I could not produce it as I had not got it, and I had no copy then. I wrote an explanation for the Minister, which I have here. It is not the whole memorandum, because there were other matters which he called me to account for, but this was one of them. This is dated 18th July, 1905: "My evidence before the Select Committee on Mr. van Renen's case I am told is in conflict with a memorandum that I furnished to Mr. Fuller in December last." I said December, but I am not sure that I was correct in saying that. I believe it was November, but it was after my interview with Mr. Frank Molteno, I think on the same day, or perhaps the following day. I do not know when that took place. "The history of this memorandum is as follows: On my taking over the office from Mr. Currey, I found that the Ministry had decided not to confirm Mr. van Renen in the post of Surveyor-General, and the question as to who should be the new Surveyor-General was discussed by Mr. Fuller and myself. I gave it as my opinion that as far as I knew, we could not get a better man than Mr. Bowden. Mr. Fuller subsequently asked me to take Mr. Molteno's opinion on the whole matter. Mr. Molteno, as stated in my evidence, said that he did not consider the case to warrant Mr. van Renen

being passed over. I reported this to Mr. Fuller, who then asked me to sum up the whole situation, and to place on record any recommendations in a memorandum, and that is the memorandum in question. In it I set forth the pros and cons of Mr. van Renen's case, and there I left it without expressing an opinion, which seeing the decision arrived at in respect of him, was unnecessary. I then discussed the other gentlemen mentioned, and concluded with recommending Mr. Bowden—but on the assumption that Mr. van Renen was going to resign.* Perhaps my meaning might have been a little clearer if I had said, "assuming Mr. van Renen would resign," instead of, "I assume Mr. van Renen would resign," in my final paragraph." I would like to say here, that what I meant to say was, I assumed that Mr. van Renen's case was practically disposed of. "Seeing that my memorandum was as before stated based on the understanding that the Ministry had determined not to confirm Mr. van Renen as Surveyor-General, I respectfully submit that in the memorandum therefore there is nothing contrary to my statement that I did not recommend Mr. van Renen's supersession. The Minister asks why I did not mention this memorandum in my evidence, adding that if they had seen it the Committee might have reported differently. Very probably they would, as documentary evidence is always the most convincing, but I was unable to produce it for the simple reason that I had not got it, and did not know where it was. Had I been asked, I should have said that I believed Mr. Fuller had it. To have merely referred to it would not have taken the matter very far, as it was not very material whether my advice to Mr. Fuller was given orally or in writing. Notwithstanding, it was my intention to mention it, and I regret that inadvertently I omitted to do so. It is not easy to give evidence before a Select Committee, and I

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* He had resigned 17/11/05.

Mr. W. H. Tooke. — must say that I was extremely taken aback by the charge suddenly sprung on me by the Chairman that I or Mr. Fuller had suggested to Mr. van Renen that he should obtain a medical certificate under false pretences.”

859. *Chairman.*] That is your statement!—That is the statement I made to the Minister.

860. Had the Minister sent you a copy of what you wrote on the subject!—He lent me the original, and I had it copied out.

861. Was the original signed by you!—Yes, I believe so, but it was not dated. It was signed by me.

862. You handed it to Mr. Fuller before he went to England!—Yes. I believe it was given him almost immediately after my interview with Mr. Frank Molteno.

863. *Mr. Jagger.*] Why was it not dated!—It was quite an inadvertence.

[*The original typewritten document was here exhibited by the Chairman.*]

864. *Chairman.*] This is your signature!—Yes.

865. You say it was given to Mr. Fuller immediately after your interview with Mr. Frank Molteno!—About the end of November.

866. *Mr. Oliver.*] It was before Mr. Fuller left for England!—Yes. I am sure of that. I handed it to Mr. Fuller.

867. *Chairman.*] I will read this original document addressed to the Minister (reading the same). At that time was Capt. Jurisch dead!—Yes. I should just like to say that my recommendations in that Minute were solely as to nominating Capt. Jurisch's successor. I considered that the question of Mr. van Renen had already been decided by the Minister. I have a memorandum here which I wrote for this Committee, as follows: “The statement that any memo of November or December, 1904, does not correspond with my evidence before the Select Committee is as I have endeavoured to show in my memo to Government, dated 18th July, 1905, based on an entire misapprehension of the cir-

circumstances under which it was written, and a misinterpretation of its meaning. At no time did I ever recommend Mr. van Renen's supersession for the simple reason that Mr. Currey told me before his leaving for England in the beginning of November, 1904, that it had already been decided on—and his evidence before the Committee shows that it had already been discussed unfavourably to Mr. van Renen. Nor was I anxious to obtrude my advice on the point, because it seemed to me a difficult question to decide. While I think no one can be blamed for deciding that he should be passed over in appointing the Surveyor-General, there was, on the other hand, a good deal to be said in favour of allowing him to continue for some time longer as Acting Surveyor-General—on trial—with a full staff, which hitherto he had not had. My opinion as to Mr. Bowden I have never altered, namely, that he was an excellent office man—one of the best that we had had any dealings with. I could not judge of his professional acquirements, nor compare him with others whom I did not know, but as far as my knowledge and judgment went, he was as an office man exceptionally capable. If I may presume to say so, I thought the Government had made an honest and successful attempt to make the best appointment possible. With regard to the interview with Mr. van Renen about his sick leave, I should like to add to what I have said before the Select Committee that not only did Mr. Fuller tell me that he understood that Mr. van Renen was ill from nervous breakdown, but I heard so from another source. I believe, Mr. Gurney. I therefore simply went to tell him what I have often had to tell clerks in the office, namely, that they could have leave if they showed a medical certificate. But this is the first time that such a construction has been put on such an observation, and I do not for a moment think that Mr. van Renen believes in it himself. It was just a casual remark which I did not think myself called upon to notice."

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Mr. 868. How could this copy have been sent to you
 W. H. Tooke, by the Colonial Secretary in Mr. Fuller's absence?
 Aug. 13, 1906. —He was acting for Mr. Fuller during his absence.
 He called me up and gave it me.

869. *Mr. Oliver.*] When did Mr. Fuller return.
 Had he returned by that time?—No. That was in
 July.

870. *Chairman.*] You acknowledge that this
 document was written by you and handed to Mr.
 Fuller before he went Home?—Yes.

871. When did you receive that written copy
 from Col. Crewe?—It must have been the 16th or
 17th of July, 1905, because as soon as I got it, I had
 a copy made, and then I wrote my memorandum
 on it.

872. *Mr. Maasdorp.*] After the inquiry here?—
 Yes.

873. *Mr. Jagger.*] What was the reason of the
 delay?—It was brought up before me on the occa-
 sion of my being placed on pension. It was
 brought up, I take it, as a reflection upon me, to
 my detriment in the assessment of my pension,
 but after that, I got a letter thanking me for my
 services, so that I considered my explanation had
 been accepted by the Minister.

874. *Chairman.*] Could it have been possible that
 there were two copies of this typewritten letter of
 yours?—No. I think not. The clerk in the office
 has standing instructions to make all my memo-
 anda in duplicate, so that I can keep a copy, but in
 this case I did not discover till I handed it in that
 he had omitted to do so. I was very overworked
 at the time, and I quite admit that I should have
 had it dated.

875. You do not deny that another copy may
 have existed?—I could not deny it, because I have
 seen one just now. I do not know who made that
 copy, or when it was made.

876. *Mr. Jagger.*] I do not see how you can but
 admit, reading that Minute of yours, that anyone
 would regard it as being advice to appoint Mr.

Bowden and supersede Mr. van Renen?—I should like to remark that it was decided that Mr. van Renen was not to be appointed. I considered that the best man to appoint was Mr. Bowden, and that was clear all through.

877. Why did not you lay that down in the Minute?—I should have done so, but I considered that I was placing the pros and cons before Mr. Fuller, not for myself, and then I gave my recommendation as to the appointment of a new man.

878. *Chairman.* You know that Mr. Currey had said that Mr. van Renen was not the proper man for the post?—Yes. I quite understood that was finally settled.

879. And that Mr. Currey had recommended that Mr. van Renen should not have the appointment?—I do not think Mr. Currey told me that he had recommended it, but he said definitely that it had been decided on just before he left.

880. Was there any demurring on his part?—No; he began talking about the man he would appoint in his place.

881. Of your own knowledge, you did not know yourself that Mr. Currey had recommended the Minister not to appoint Mr. van Renen?—No; I cannot say I knew it positively, but I inferred it from Mr. Currey.

882. You did not know it positively, but it was your opinion that he had done so?—Yes. I inferred it, and that is confirmed by Mr. Currey's own evidence.

883. *Mr. Maasdorp.* It appears to me from this Minute that you gave some advice. This memorandum of yours bears that construction, that it was written in the form of advice, because here you say distinctly, "it may be doubted whether he has qualifications which enable him to maintain discipline in a large office"?—Yes, but I say in the next paragraph that there must be very strong reasons. My words are "at the same time it would be admitted to be a serious step to place anyone

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over his head, unless there were strong reasons to advance in support of such a course." Mr. Molteno had been consulted, and there I left it. That was rather against superseding Mr. van Renen than the other way.

884. Would this first part not bias the Minister?—I daresay. I did not want to discuss it. I thought he had already decided.

885. *Mr. Jagger.*] But you have discussed it in the first part!—Mr. Fuller asked me to put down the pros and cons for him.

886. *Chairman.*] You say, "it may be doubted whether he has qualifications which enable him to maintain discipline in a large office." That doubt was a matter of common feeling, and you referred to it?—I did not think he was quite satisfactory.

887. Then you go on to say, "at the same time it would be admitted to be a serious step to place anyone over his head unless there were strong reasons to advance in support of such a course." Would not you consider inability to maintain discipline in a large office and give satisfaction in dealing with the public strong reasons?—I felt all through that it was a very difficult question to decide. I did not want to decide it, and I was very glad that the decision did not come upon me, because I was not anxious to make a decision.

888. With regard to Mr. Molteno, he agrees with you that unless there were strong reasons to advance in support of such a course, he could not name any surveyor so distinguished above the others for his exceptional qualities?—Yes.

889. He did not say there were no such strong reasons?—There was a general impression abroad, I think, that the Surveyor-General's Office was not giving satisfaction.

890. *Mr. Malan.*] This general dissatisfaction that you speak of, was that as regards the working of the office, the delays, or with regard to the discipline of the men in the office, not keeping proper hours, and so on?—I really cannot speak from my

own knowledge, but I think where the public felt it was in the delay, and they might of course attribute the delay to a want of discipline, but I do not say that was the case.

891. When you said "it may be doubted whether he has qualifications which enable him to maintain discipline in a large office and give satisfaction in dealing with the public," had you no specific facts before your mind?—No, I had no specific facts before my mind.

892. How do you explain this sentence, then?—I had an idea that Mr. van Renen was not so keen as he used to be, or rather not quite so energetic generally; there are always a lot of little circumstances, cumulative evidence, but you cannot specify any particular facts of wrong doing.

893. Last year Mr. Jagger put to you this question (No. 570), "Was there any complaint about discipline, laxity of discipline—the men not keeping the proper hours," and you said "No"?—I never heard of it.

894. How do you reconcile your answer here with your statement in this memorandum?—I said just now that the public had felt the delay, and they may have attributed it to that, but I do not know.

895. You saw the evidence of last year about the delays (No. 571): "It has been put in evidence before us that Mr. van Renen was very much handicapped by men being away—two on long leave, and four on sick leave," and your reply was: "Two were away during the war: two very good men." You said there was nothing exceptional in the delays. One complaint is about delays on account of the men not being up to the mark, and then there is a second about discipline, that there was laxity in the men not keeping proper hours, and so on?—I do not know that that was a fact at all.

896. Does your paragraph here refer to this complaint of lack of discipline or to the delays. I mean this paragraph: "It may be doubted whether

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he has qualifications which enable him to maintain discipline." What do you mean by that?—Keeping the men up to the mark, and making them work hard.

897. You had no clear distinction in your own mind as to whether there were men there who did not do their work properly, or whether they were rather convivial and had birthday parties, and so on in the office?—I did not know anything about that.

898. How do you justify this paragraph in your Minute?—I thought that Mr. van Renen himself was getting a little lax, and he might not see that the men were also lax. I am putting a hypothetical case, or rather a possibility. I do not say it is the fact, but I thought Mr. van Renen was getting a little lethargic.

899. *Mr. Jagger.*] You must have had some grounds to go on?—I had some indications that he was rather slack.

900. Why did not you say straight out that the office was in a lax condition, as that is the only inference we can draw?—That was my impression, but I did not like to state it as a fact of my own knowledge. It is only what I inferred; that from the fact of there being delays, Mr. van Renen was a little lethargic. I thought the office was not screwed up to the mark.

901. *Mr. Malan.*] In your evidence last year (Q. 570) you said there was no complaint about laxity of discipline; the men not keeping the proper hours?—It never formulated itself as a complaint.

902. Then at Q. 541 of last year's evidence, you were asked by Mr. Molteno, "Can you give the Committee the circumstances under which Mr. Bowden was appointed Acting Surveyor-General in place of Mr. van Renen, who was at that time Acting Surveyor-General," and you replied, "I cannot say very much from my own knowledge, because the matter was carried on by the Minister; the Minister interviewed the parties concerned.—I

was not present, I merely carried out instructions." Then you repeat in your evidence seven times, that you did not express any opinion about the supersession of Mr. van Renen at all. How do you reconcile that with this Minute?—I do not consider that I gave a recommendation in this Minute about Mr. van Renen's supersession. I considered that that was a thing settled.

903. At Q. 581 you were asked, "When Mr. Currey left, did the Minister have a discussion with you about appointing a Surveyor-General," and you replied, "He never discussed the question of Mr. van Renen's supersession." At Q. 585 you were asked, "Then you support the conclusion of the Minister in that direction," and you replied, "Yes, assuming that Mr. van Renen was to be superseded, I think Mr. Bowden was the best appointment. I did not want to go into that, and it was not put before me." Now you draw up a statement of the pros and cons?—I did that for Mr. Fuller.

904. At Q. 587 you were asked, "What do you mean by that," and your reply is, "The Minister told me it was absolutely decided to supersede Mr. van Renen?—My opinion was not asked on it, and I could not give it. I merely gave my opinion on Mr. Bowden's qualifications."

905. *Mr. Molteno.* Was not this the position; you knew in your own mind that the Minister had decided to supersede Mr. van Renen?—Yes.

906. And that Minute that you framed there assumed all through that Mr. van Renen was out of it?—That is so exactly.

907. Why did you trouble about Mr. van Renen's name at all?—Mr. Fuller asked me to set down the case in writing for him, and I call that setting down the case for him; it was not my case, it was Mr. Fuller's case. That is what I meant.

908. *Mr. Maasdoorp.* All the same, this is your view undoubtedly?—Yes. I admit that I did not think Mr. van Renen was satisfactory to a cer-

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tain extent, but I did not give expression to such a view. I put this down for Mr. Fuller. I considered it was Mr. Fuller's summing up of the case.

909. *Mr. Jagger.*] That is another explanation altogether?—That was how I put it.

910. There is the document signed by yourself?—Yes.

911. *Mr. Molteno.*] You wanted to make it easy for Mr. Fuller?—I did not want to give an opinion on Mr. van Renen's case.

912. *Mr. Jagger.*] How can we take this explanation when you have said this, "he never discussed the question of Mr. van Renen's supersession." How is it possible to draw up a memorandum of that kind without having a discussion on that point. You must have discussed various points between yourselves: you must have had a conversation. You knew all the facts of the case, and could only have gleaned them by conversation?—He never asked my opinion, and I never gave it.

913. *Chairman.*] The Minister received this memorandum from you, the head of a department, in which you state, "it may be doubted whether Mr. van Renen has qualifications which enable him to maintain discipline in a large office, and give satisfaction in dealing with the public, and in advising the Government in many cases where the interests of the Government and the private and local interests are in conflict." Was not that an expression of opinion with regard to the fitness of Mr. van Renen to take that post. As a juror, would not you say that?—Yes, but I think it ought to be read with the succeeding paragraph.

914. You go on to say that there must be strong reasons to advance in support of such a course, but you had already indicated strong reasons: surely it was no business of a Minister to put a man into a post like that about whom there were doubts as to his ability to give satisfaction to the public and maintain discipline. If the Minister placed a man in such a position as that of Surveyor-General

about whom there were doubts as to his ability, he would be doing wrong, would he not?—Yes.

915. Suppose the Minister had doubts expressed to him as to the ability of this man, that he was lax, slack, and lethargic: did you not state that to Mr. Fuller?—I do not think so. I think Mr. Fuller said so to me.

916. You say now that for various reasons you came to the conclusion that Mr. van Renen was slack and lethargic?—Yes. I said so in my evidence.

917. Did not you think the Minister was also responsible?—I thought he had all the responsibility.

918. If he appointed a man whom you, as chief senior officer in the absence of Mr. Currey, admitted to be slack and lethargic, and as to whom there were doubts, suggested by yourself, as to his qualifications and competency, would not he be doing wrong?—There was another alternative, and that was giving him a further trial.

919. That you did not suggest?—I did not suggest it. I did not want to make any suggestion or recommendation. I thought it had been decided.

920. If it had been decided, why did not you refer to it?—Mr. Fuller asked me to put down what I understood to be the pros and cons in his mind with regard to Mr. van Renen. I can only give that explanation. No one could blame Mr. Fuller for making such an appointment as this: it was a very difficult question to decide, and I did not want to give a definite recommendation in the case.

921. *Mr. Oliver.* Suppose the case were put the other way about: suppose when you were requested to draw up that memorandum you were perfectly satisfied that Mr. van Renen was in every way fitted for the post, and that there was no blame to be attached to him whatever, do not you think it would have been your duty to have said that Mr. van Renen, holding this position as Assistant Surveyor-General, in your opinion was the man who

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ought to have the permanent post of Surveyor-General, if there was nothing against him, even although you were asked to draw up a memorandum by Mr. Fuller. Was it not your duty to say, notwithstanding you have decided to supersede him, in my opinion he is the right man?—Yes, but I did not think so. I acquiesced with the decision that had been come to.

922. *Mr. Jagger.*] You did acquiesce?—Yes. I did not dispute it. I did not think it was definitely wrong. I did not feel I was quite sure I could have recommended it myself. My mind was rather balanced as to what was the course to adopt. That was my feeling.

923. You admit that Mr. van Renen was not in such a position that you felt you could recommend his appointment?—No.

924. From that we must infer that you knew some of the reasons why Mr. van Renen was not fitted for the post?—Yes, I did.

925. You are quite satisfied on that point?—Yes.

926. Through want of discipline in the office you thought he was not capable or not strong enough; you thought another man would be better suited for the post?—I felt it was quite justifiable to supersede him. I would hardly have gone the length of recommending it, but I could acquiesce in it.

927. *Mr. Malan.*] The Minister for Agriculture, Mr. Fuller, has handed in a memorandum to this Committee, in which these sentences occur, which I will read:

“When discussing these complaints both the Under Secretary and the Assistant Under Secretary impressed me strongly with the fact that, in their opinion, a decided reorganization of the Department should be made, but that they did not consider that Mr. van Renen possessed the necessary strength to carry it through.”

"This official's opinion as to the respective capabilities of Mr. van Renen and Mr. Cornish-Bowden can be clearly gathered from the evidence tendered by him before the Select Committee."

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"As before stated, it was largely the opinions expressed by himself and Mr. Currey from time to time that convinced me of the unsuitability of Mr. van Renen for the post. I attach a copy of a memorandum from Mr. Tooke which I think bears me out in this contention."

So you see from these extracts, Mr. Fuller takes up the line that you impressed upon him the desirability of not appointing Mr. van Renen. You say that that is not so?—I do not say it is not so. Anything I may have said about Mr. van Renen would not be very much in his favour, but I am not sure that I would have gone the length of superseding him; I would have given him a further trial. I never definitely recommended that he should be superseded. That is my case.

928. Mr. Fuller here says that his memorandum expresses your view. You say that you drafted this memorandum on the instructions of Mr. Fuller, to give definite expression to his views?—Yes, both are true, because as regards the first part of it I think I was setting forth a case for Mr. Fuller, putting forth Mr. Fuller's reasons, pro and con, for superseding Mr. van Renen. That was how I looked at it. My recommendation came in in recommending his successor. I wound up by making a distinct recommendation that Mr. Bowden should be appointed, assuming that Mr. van Renen was disposed of.

929. At the end of the memorandum, Mr. Fuller says:

"When I came into the Department I had determined to infuse as much energy and efficiency into every branch of its work as pos-

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sible, and in view of the schemes I contemplated, I was bound to accept the unqualified declarations of my responsible officers."?

—But of course Mr. Currey recommended distinctly that Mr. van Renen should be superseded, at least I gather so from his evidence.

930. Mr. Fuller speaks of "my responsible officers," and he gives in his memorandum a good deal of the dealings he had with you after Mr. Currey left!—Of course, I never disputed the propriety of superseding Mr. van Renen, but I never recommended it.

931. *Mr. Molteno.*] You said in your evidence last year that you never discussed Mr. van Renen's case with Mr. Fuller. At Q. 581, you were asked, "When Mr. Currey left, did the Minister have a discussion with you about appointing a Surveyor-General," and your answer was, "He never discussed the question of Mr. van Renen's supersession"!—He mentioned from time to time that he was going to supersede Mr. van Renen, but we did not argue the point as to whether he should or should not.

932. At Q. 587, you were asked by Mr. Malan, "What do you mean by that," and your answer was, "The Minister told me it was absolutely decided to supersede Mr. van Renen; my opinion was not asked on it and I could not give it; I merely gave my opinion on Mr. Bowden's qualifications"!—I adhere to that. I do not remember his asking me definitely whether I approved of it.

933. At Q. 585 you were asked, "Then you support the conclusion of the Minister in that direction?" and you replied, "Yes; assuming that Mr. van Renen was to be superseded, I think Mr. Bowden was the best appointment; I did not want to go into that, and it was not put before me." So you say now, that in drafting that Minute, you were putting Mr. Fuller's views pro and con upon paper?—Yes; with regard to Mr. van Renen.

934. *Mr. Jaeger.* If that is the case, why did not you ask Mr. Fuller himself to sign it?—I went on to give my own recommendations with regard to Mr. Bowden.

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W. F. Cooke.*
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935. The conclusion of the second part of the Minute is in conflict with the first part?—In the one case I give my opinion.

936. Did you ever glean in the course of your experience that Mr. Currey had any feeling as regards Mr. van Renen: do you think any personal feeling existed between them? No, there was no private feeling against him that I know of.

937. Their relations were cordial?—Yes, I believe so.

938. Had Mr. Fuller any feeling in any shape?—No.

939. Absolutely none?—No.

940. How could Mr. Fuller have acted as he did if he did not act on information; where did he get his information from?—From Mr. Currey.

941. And yourself?—Some information I may have given myself before the question of Mr. van Renen ever came forward. I may have given him reason to believe that we were not satisfied with some of his work; I do not remember, but it may have been that I did.

942. That is in conflict with your answer to question 581. It has been stated in evidence that you were more connected with the lands branch, and you must consequently have been brought more in contact with that part of the office work than Mr. Currey? Yes; it is possible that Mr. Fuller from time to time may have inferred that we were not quite pleased with the state of things.

943. How could he infer that if you did not say so?—Not in connection with Mr. van Renen's supersession.

944. Had you not led Mr. Fuller to think that things were in a very unsatisfactory state?—Yes; I daresay I have done that.

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945. You admit that he must have got his information from Mr. Currey, and not from yourself?—Yes; I daresay he learnt that things were not quite right.

946. Then you had definite information or knowledge as to the state of affairs in the office?—I had a lot of reasons for believing that things were not satisfactory.

947. You do not mean to say that you took the responsible step of talking against an officer or complaining about an officer without any definite information. You would not take that responsibility on yourself surely?—No.

948. Then you had definite information as to the state of that office?—Yes. I do not think I had full information; it was imperfect.

949. You told things to Mr. Fuller about the state of the office without making inquiries; is not that a very grave thing to do?—I never did that.

950. Then you must have known all about the office. We have had very strong evidence before us as to the state of the office, very strong evidence indeed, by men who, so far as I can judge, are in pretty close touch with it; do you mean to say that you had no knowledge of this?—I had some knowledge, or some reason to believe it, but I could not tell exactly what went on in the office. I am not in the office; I only correspond with it.

951. You knew about these excessive delays, did you not?—Yes.

952. Delays of over twelve months?—Yes.

953. And you also knew why these delays took place?—Yes, partially.

954. Over which men in the office had control?—I knew that the delays were attributed to the office being short-handed. There may have been other delays, and they may have arisen from the officers being lax in attendance.

955. You are quite prepared to take the responsibility of advising the Minister, or laying complaints before the Minister, about the state of

things in the office, and from your evidence you admit that you did not investigate this before you went to the Minister; that is the only inference to be drawn. You run the risk of doing the chief in the office a very great injustice, because you made complaints to the Minister which you had never investigated!—I never laid complaints before the Minister: he may have gathered that there were great delays.

956. What is the difference; why not call a spade a spade? Is Mr. Fuller a good-natured fellow?—Yes.

957. Do you consider that he would have taken a step like this, and brought a hornet's nest about his ears, without due information?—I was not the Head of the Department: Mr. Currey was the head, and Mr. Fuller probably got all his information from Mr. Currey.

958. Mr. Currey must have got his information from you, as you were in closer contact with the office?—He got it from his own sources. I also discussed the matter with Mr. Currey from time to time undoubtedly.

959. But even then, Mr. Currey being the head of the office, should not you have satisfied yourself distinctly, from inquiries and so forth, that some change was necessary in that office?—Yes: I considered that the office was short-handed to begin with.

960. That was not the blame of the head of the office?—That is my whole point. I do not say that the Head of the Department was absolutely to blame, but I would have given Mr. van Renen a further trial.

961. *Chairman.* You never said that in any of your remarks, did you?—No.

962. *Mr. Molteno.* Mr. Currey did not bring any complaints of that sort in his evidence?—I have no specific complaints against Mr. van Renen, but I know the work was unsatisfactory.

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963. Did you say the officers in the Department considered that there was anything against Mr. van Renen which, in your opinion, prevented him from being appointed Surveyor-General?—It is a matter I never could form any definite opinion about; it was a very nice point. I considered he might have done better perhaps than he did, but he was working under great disadvantages, and was short-handed.

964. You knew that he was short-handed?—Yes.

965. He did not only do his own work, but the Surveyor-General's work, and there were, besides, a lot of men away?—Yes.

966. *Mr. Jagger.*] Then why did not you, as a fair-minded man, set forth these considerations in a minute for the Minister?—I considered that the question of Mr. van Renen had been definitely decided. I had been told so.

967. When any injustice is done, should not you say something?—I did not consider it an injustice. I thought it was a very nice point. I could not recommend, but I could not dispute. There is a difference between an active position and a passive position.

968. *Mr. Malan.*] I wish to draw your attention to Q. 642 in last year's evidence. The Chairman asked you: "You consider it rather hard?" and your reply was, "Yes, I do not think Mr. Fuller would like me to conceal anything. I may say that I think what made it worse was that Mr. Fuller spoke to Mr. Bowden before he spoke to Mr. van Renen; I think that is really the thing that made it worse." Can you give the Committee any further information as regards this interview of Mr. Fuller's with Mr. Bowden?—I can only say that Mr. Fuller told me he had spoken to Mr. Bowden. I understood him to say, though I do not think he quite said it, but I was given to understand that he would be Surveyor-General.

969. *Mr. Oliver.*] Who would be Surveyor-General?—Mr. Bowden; and I think that Mr. van Renen naturally felt that.

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970. *Mr. Malan.*] Do you know about these interviews?—Mr. Fuller told me. I was present at no interview.

971. You said in your evidence last year that he had no interview with Mr. van Renen until after the appointment of Mr. Bowden?—I do not think I said so definitely. I believe he had none. I could not speak of my own knowledge.

972. You considered it rather hard, did you not, that Mr. Bowden was consulted as to his qualifications for the office, when Mr. van Renen never had an opportunity of stating his case?—I think Mr. van Renen felt that, but if Mr. Fuller had mentioned it to Mr. van Renen first and then seen Mr. Bowden, Mr. van Renen would not have felt so sore.

973. That is to say, Mr. van Renen was really passed over without his having an interview with the Minister at all?—I do not know of my own knowledge. It is set forth in the evidence.

974. *Mr. Molteno.*] You were under the impression that Mr. van Renen was 58 years old?—I was under that impression.

975. When you found he was 58, you did not think so much about the supersession, was that it?—It was in my mind.

976. After the supersession, you found that Mr. van Renen was only 52?—I was told that he had raised that question with Mr. Fuller, and Mr. Fuller had found out that he was only 52. Mr. van Renen did not himself tell me that, but I learnt it.

977. *Mr. Malan.*] In Q. 590 of last year's evidence, Mr. Jagger put this to you: "Do you mean to say his age never came up?" and you replied, "I knew that his age was 52 or 53." Then you were asked: "Did you know of that fact at the time?" and your answer was, "I had nothing to do with his being superseded"?—Yes.

Mr. 978. *Mr. Molteno.*] The Chairman put this ques-
 W. H. Tooke, tion to you (No. 654): "What interview was it
 Aug. 13, 1906, when the age was brought up; was it later?" and
 your answer was, "I can tell you what it was. I
 can remember now his telling me, I think, that he
 was 52 or 53, and I said, 'Well, I thought you were
 older; I thought you were 58'?"—Mr. van Renen's
 age never came up before me in discussion with
 Mr. Fuller. The whole thing as I understood it was
 that this question of Mr. van Renen's supersession
 was argued out between Mr. Fuller and Mr. Currey.
 Either Mr. Fuller or Mr. Currey may have said
 Mr. van Renen was 58, and the question of age may
 have been discussed between them, but not with
 me. I stood quite away. If you had asked me
 how old Mr. van Renen was I might possibly have
 said about 58, but Mr. Fuller never knew what I
 thought about his age at all.

Tuesday, 14th August, 1906.

PRESENT:

Mr. OATS (Chairman).

Mr. Jagger.

Mr. Malan.

Mr. Molteno.

Mr. Oliver.

Mr. Maasdoorp.

The Honourable C. P. Crewe, C.B., M.L.A., examined.

The Hon. 979. *(Chairman.)* You are Under Colonial
 C. P. Crewe, Secretary?—Yes.
 C.B., M.L.A.

— 980. For the purpose of helping this Committee,
 Aug. 11, 1906, I will read a private note which I received from
 Col. Crewe yesterday, as follows:—"I hear that
 there has been some conflict of evidence as to when
 a certain letter was handed by me to Mr. Tooke.
 The letter in question was left by Mr. Fuller in his
 private drawer, and neither Sir Lewis Michel nor
 I knew of its existence until Mr. Fuller returned

from England. He then showed it to me, and I saw it then for the first time. Then Mr. Fuller went touring on co-operation, and I acted for him, and it was then I gave the document to Mr. Tooke, who I believe then copied it." Is that a correct statement?—Yes.

The Hon.
C. P. Crewe,
C.B., M.L.A.
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981. Do you happen to know when Mr. Fuller returned?—On the 4th of July, 1905. He returned from England on the 4th of July, and he left for up-country on the 20th of July, 1905, and it was immediately after he left that I gave the letter to Mr. Tooke.

982. *Mr. Malan.*] In Mr. Tooke's evidence yesterday he was asked, "Where did Col. Crewe get the original from?" and he replied, "That I could not say; the Minister, Mr. Fuller, was away at the time, and Colonel Crewe was acting"?—I acted for Mr. Fuller, even after he returned.

983. Then this question was put to Mr. Tooke, "When did Col. Crewe, who was then Acting Minister for Agriculture, hand you the original copy of the memorandum which you submitted to Mr. Fuller with regard to the appointment of the Surveyor-General?" and his reply was, "At the end of July, 1905"?—That is quite right.

APPENDIX.

[A]

PETITION FROM H. VAN RENEN.

To the Honourable the Speaker and Members of the Honourable the House of Assembly of the Colony of the Cape of Good Hope in Parliament assembled.

The Petition of Henry Van Renen

HUMBLY SHEWETH :

1. That your Petitioner is the Assistant Surveyor-General of the Cape Colony, which appointment he has held since the year 1902, and at one time acted as Surveyor-General

2. That after the death of Captain Jurisch, the late Surveyor-General, Mr. Cornish-Bowden, an officer junior to your Petitioner in the Service, was appointed Surveyor-General, notwithstanding the finding of a Select Committee of your Honourable House, hereinafter referred to.

3. Feeling aggrieved at being superseded, your Petitioner in the month of May, 1905, presented a Petition to your Honourable House praying for redress.

4. That your Honourable House by orders dated the 16th and 18th May, 1905, respectively, referred the Petition for inquiry to a Select Committee.

5. The Select Committee sat and reported as follows :—

“ In the opinion of your Committee there does not appear to be sufficient reasonable evidence for the supersession of Mr. Van Renen, but your Committee, not being able to obtain the evidence of Mr. Fuller, the Secretary for Agriculture, who is at present absent from the Colony, feel that they cannot bring up a final report.

Francis Oats,
Chairman.

Committee Rooms,
House of Assembly.

30th May, 1905.”

6. Mr. Fuller, the Secretary for Agriculture, has now returned to the Colony.

Wherefore your Petitioner prays that your Honourable House may be pleased to take this Petition into favourable consideration and grant him such relief as to it may seem fair and just.

And your Petitioner as in duty bound will ever pray.

H. VAN RENEN.

[B.]

MEMORANDUM *RE* THE APPOINTMENT OF MR. A.
H. CORNISH-BOWDEN AS ACTING SURVEYOR-
GENERAL.

I beg to append the following facts in connection with the above matter.

In May, 1904, it became necessary for the Surveyor-General, the late Captain C. H. L. M. Jurisch, to proceed to Europe for medical treatment, and, on his recommendation, his next in rank, Mr. Henry van Renen, First Assistant Surveyor-General, was appointed to act as Surveyor-General during his absence from the 3rd May to 2nd November, 1904.

During this period the work of this official was frequently brought to my notice by the Under Secretary, who on several occasions expressed himself as of the opinion that Mr. van Renen had shown decided weakness in dealing with important questions, and was lacking in initiative and administrative capability.

That the Surveyor-General's Department showed the effect of this was repeatedly brought to my notice by some of the leading firms of attorneys and conveyancers of Cape Town who, on several occasions made verbal complaints as to the extraordinary and unnecessary delays experienced by them in getting their documents through the office; particularly were these delays felt in getting amended titles passed, information being tendered that it frequently took between three and six months to definitely decide these matters. (Return showing delays in issuing amended titles, marked C.)

When discussing these complaints both the Under Secretary and the Assistant Under Secretary impressed me strongly with the fact that, in their opinion, a decided reorganization of the Department should be made, but that they did not consider that Mr. van Renen possessed the necessary strength to carry it through. This was confirmed later on when it was proposed considerably to decentralise the work of the Agricultural Department, under which a considerable amount of additional

work and responsibility would be thrown on the Surveyor-General. These proposals, I was informed, were met by considerable opposition on the part of Mr. van Renen, who raised many objections.

One further point on which I have been able to lay my hands, and which tended to strengthen the opinion formed against Mr. van Renen's capability of dealing with the reorganization of the Department, was the fact that, when the Government decided to put into effect section 25 of Act No. 32 of 1895, dealing with the superannuation of officers on reaching the age of 60, Mr. van Renen reported in regard to one of his officers, Mr. T. H. Maclear (the officer who, under Mr. van Renen, had sole charge of the Amended Titles Branch), that owing to the special nature of his duties it would be impossible to supersede him owing to the fact that it would take two years to train another man to take his place. This seemed to me an extraordinary position to take up, and I remember on discussing this report with the Under Secretary his making some particularly caustic remarks as to the absurdity of the objection. (See Memorandum attached, marked B.)

I need only say that, in spite of Mr. van Renen's fears, Mr. Maclear *was* retired on pension, and that his work *has* been carried on, not only efficiently and well by an officer drawing a considerably smaller salary, but that, whereas previously it was considerably in arrear, it has been brought up to date and maintained up to date by his successor.

I think that, from the foregoing, it will be admitted that, when the unfortunate news of Captain Jurisch's demise (20th August, 1904), in Europe came to hand, I had good grounds for hesitating in confirming Mr. van Renen in the appointment.

I then decided after consultation with my colleagues, to leave him acting for a further period while we considered the matter.

I discussed the appointment on several occasions with Mr. Currey, and I have no hesitation in saying that he, as Permanent Head of the Department, was decidedly of the opinion that it would be an undesirable step to appoint Mr. van Renen.

In the meantime two other applications for the post had been received, namely, one from Mr. E. G. Hall, who was in charge of the Government Location Surveys in the Native Territories, and the other from Mr. Surveyor Watermeyer, at one time Surveyor-General of Bechuanaland, but since retired on pension.

Mr. Currey was strongly of the opinion that the former gentleman was the right man for the post, and repeatedly tried to influence me to "take a strong step" as he termed it, and appoint Mr. Hall.

His advice would naturally have weighed heavily with me, but, in the first place, I was averse to going outside the service, and in the second place Mr. Hall was a great personal friend of mine, and had taken a very active part in my election as a member for Tembuland, and I felt that my action would be liable to misconstruction had I given him the appointment.

I therefore decided against Mr. Hall, though I felt convinced from my personal knowledge of his abilities and experience that he would probably have filled the position to advantage.

While Mr. van Renen was still acting, Mr. Currey had to proceed to England on urgent private affairs, and Mr W. Hammond Tooke was appointed to act in his place.

This official's opinion as to the respective capabilities of Mr. van Renen and Mr. Cornish-Bowden can be clearly gathered from the evidence tendered by him before the Select Committee (*vide* pp. 56 to 71 of the report, and more particularly his reply to question 694 on page 71). I cannot, however, agree with his statement that he only informed me of his opinion *after* the fact had been communicated to him as to the Government's intention of superseding Mr. van Renen. As before stated, it was largely the opinions expressed by himself and Mr. Currey from time to time that convinced me of the unsuitability of Mr. van Renen for the post. I attach a copy of a Memorandum from Mr. Tooke which I think bears me out in this contention. (See Annexure A.)

This was the position in November, 1904, and about the middle of the month the Prime Minister expressed a desire to meet Mr. Cornish-Bowden. I accordingly accompanied this gentleman to his office, where he put him several questions concerning the work of the Surveyor-General's Department generally.

After this interview it appears that Mr. Bowden, on returning to his office, informed the Acting Surveyor-General of what had taken place in a very open and candid manner, which I think disposes of the insinuation made before the Committee as to the part he played in the supersession of his superior officer.

Apparently, on hearing from Mr. Bowden what had taken place at the interview, Mr. van Renen, in a fit of pique, sat down and wrote his letter of resignation, which was received in my office on November 17, 1904.

This communication was submitted to me by Mr. Tooke, who was Acting Under Secretary for Agriculture, on November 17, and I instructed him to accept it with regret, and to say that arrangements would be made to relieve Mr. van Renen of his duties as soon as possible, in accordance with his request.

This instruction was carried out on November 19, 1904.

The position on this date was the following:

The Surveyor-General was dead.

The First Assistant Surveyor-General (who was Acting Surveyor-General) had resigned.

Mr. Cornish-Bowden, the Second Assistant Surveyor-General *was the next in rank in the Department.*

I accordingly, after consultation with Mr. Tooke, instructed him to have a Minute prepared appointing Mr. Bowden to act as Surveyor-General in the room of Capt. Jurisch, deceased.

There was some little delay in drafting this Minute, owing to the question of the salary that Mr. Bowden should draw having to be discussed in Cabinet. However, on November 24, according to Mr. Tooke's note on the papers, Mr. Bowden's appointment to act as Surveyor-General at £900 per annum was approved by me.

I had already informed Mr. Bowden, verbally, that this was the decision of the Government.

A Minute was accordingly prepared, but the question arose as to whether we should give Mr. Bowden the acting appointment or make it a permanent one. After further discussion, the Minute was redrafted appointing Mr. Bowden Surveyor-General and initialled by me before being sent up to Cabinet. Here it was, however, finally altered to Acting Surveyor-General on December 9, and approved as such on the 16th idem.

In the meanwhile, Mr. van Renen had asked the Prime Minister for an interview, which he had granted, and had placed before him the circumstances under which he was placed owing to his resignation, and had appealed to him, I believe, for consideration.

The Prime Minister thereupon asked me to discuss the matter with him (Mr. van Renen), which I did, I think about the 24th or 25th of November.

Of this interview I have a very vivid recollection, and shall, as briefly as possible, state what took place.

Mr. van Renen, on calmer consideration, had evidently come to the conclusion that he had made a mistake in tendering his resignation, and approached me with an *ad misericordiam* plea as to the position in which he now found himself. He pointed

out in the first place that, owing to the seven years that he had spent in the Government Service he had completely sacrificed his private practice, and in the second place that, for the same reason, certain farming properties which he owned, had been allowed to lie undeveloped, and that if he were to leave the Service immediately he would find himself in serious financial straits. He further informed me that he was not in very good health, and that owing to all this worry about the appointment he was suffering from nervous prostration.

He so impressed me with the seriousness of his position that I told him that, out of consideration for him, I would allow him to withdraw his resignation on the understanding that he would apply for six months' sick leave and would retire at the end of this period. My object in doing this was three-fold: firstly, this would give him time to recover his health; secondly, it would enable him to work up his practice again; and thirdly, it would give him an opportunity of placing his farming investments on a more satisfactory footing.

A further reason, and one that weighed heavily with me, was the fact that, owing to his not having had ten years of service, Mr. van Renen would not be entitled to receive any pension whatever, and that by going on leave I might have an opportunity, *while he was still in the Service*, of laying his case before Parliament for special consideration in the form of a gratuity.

I had previously consulted Mr. Tooke, and had been informed by him that there were precedents in the Service for such a course.

Mr. van Renen thanked me for my consideration, and left me with the firm conviction that he would immediately submit his application for sick leave.

I thereupon informed Mr. Tooke that I had allowed Mr. van Renen to withdraw his resignation, and instructed him to call on that gentleman and arrange with him the details of his leave. At the same time instructions were given for the cancellation of our letter accepting the resignation, and these were carried out on the 29th November, 1904.

Apparently, when Mr. van Renen returned to his office, he reconsidered his decision, and, having been allowed to withdraw his resignation, preferred to sit still and await developments.

I was absent from office from the 4th to the 13th of December in connection with the opening of the Adelaide Model Dairy Co., and, immediately on my return, left for England on the 14th December, 1904, under orders from my medical adviser.

Before leaving I had initialled the Minute previously referred to, approving of Mr. Cornish-Bowden's appointment as Surveyor-General: this was, however, apparently reconsidered in Cabinet and altered to Acting Surveyor-General after my de-

parture, as the Minute is dated the 16th December, 1904—two days after my sailing.

Of the subsequent events I am not in a position to say anything as I was, unfortunately, absent from the Colony till July, 1905. In conclusion, I would like to say that I welcome the fullest investigation into this matter.

Mr. Bowden was a perfect stranger to me up to the time I accepted office, and I had only come in contact with him about a dozen times in all since that. Had I been actuated by feelings of friendship as has been insinuated in some quarters, my leanings would naturally have been towards Mr. E. G. Hall, who had been a personal friend of mine for years. But I shall treat these insinuations with the contempt they deserve.

The main points I wish to bring out are these:

I was firmly convinced that the Surveyor-General's Office required a thorough reorganization by a strong hand. When discussing this with the permanent heads of my Department both the Under Secretary and the Assistant Under Secretary impressed upon me strongly that in their opinion Mr. van Renen did not possess the necessary strength to carry it through, and that Mr. Bowden did.

The simpler course would have been for me to have confirmed Mr. van Renen in the appointment, but surely in filling such an important post as that of the Surveyor-Generalship of the Cape Colony a Minister should not be expected to take the easier course simply because it is the one usually followed! My sole object was to get the best man available for the position. In my opinion and in the opinion of my permanent advisers, Mr. Bowden was a better man under the circumstances than Mr. van Renen, and I venture to think that this alone justifies my action in the matter.

I am happy to say, too, that the condition of the Surveyor-General's Department to-day amply justifies my selection.

Over and above all, I would emphasise the fact that there was no actual supersession of Mr. van Renen, seeing that, at the time I approved of Mr. Bowden's acting appointment, Mr. van Renen's resignation was in the hands of the Government, and Mr. Bowden was the next in rank in the Office.

In subsequently accepting the withdrawal of Mr. van Renen's resignation I had no intention of altering the decision I had come to in regard to the appointment of Mr. Bowden.

I may add that I am wholly unable to understand the hesitancy of Messrs. Currey and Tooke in stating to the Select Committee last year the reasons upon which they grounded their preference for Mr. Bowden. To my mind these were perfectly clear:

- (a) That in Mr. Tooke's opinion there was no Officer except Mr. Marquard who reached Mr. Bowden's high standard of efficiency on the face of the reports and minutes submitted by Mr. Bowden.
- (b) That there were various complaints of delays with matters of title with no apparent attempt to obviate them.
- (c) That both these Officers advised me that in their opinion Mr. van Renen was unequal to the task of reconstructing the office.
- (d) That the question raised on the retirement of Mr. Maclear was regarded by Mr. Currey at least as a serious drawback to Mr. van Renen's efficiency.

When I came into the Department I had determined to infuse as much energy and efficiency into every branch of its work as possible, and in view of the schemes I contemplated I was bound to accept the unqualified declarations of my responsible Officers.

I venture to submit that my position is unimpeachable, as I have done everything humanly possible to help Mr. van Renen, but I was bound to place the efficiency of the Public Service above all considerations.

ARTHUR J. FULLER.

July 17th, 1906.

ANNEXURE A.

Copy.]

The Minister,—With reference to our conversation of to-day and in terms of your request, I beg to record in writing my recommendation as to the appointment of Surveyor-General in place of the late Captain Jurisch.

Mr. van Renen is the First Assistant Surveyor-General. His appointment dates from 1st September, 1897.

He enjoyed, previous to his appointment, a high reputation among the members of his profession and with the public as a capable surveyor. It may be doubted whether he has qualifications which enable him to maintain discipline in a large office and give satisfaction in dealing with the public and in advising the Government in many cases where the interests of the Government and the private and local interests are in conflict.

At the same time it would be admitted to be a serious step to place anyone over his head unless there were strong reasons to advance in support of such a course.

Mr. Frank Molteno, on being consulted, confidentially took that view, and could not name any surveyor so distinguished above the others for his exceptional qualities to justify this step.

Mr. Cornish-Bowden is the Second Assistant Surveyor-General; his appointment dating from 20th January, 1903.

I have had no acquaintance with Mr. Bowden beyond that arising from official intercourse, but I may say that I was very much impressed by the capacity and character evinced in his reports to this office. Of his professional abilities I am not competent to form an opinion, but knowing as I do from long experience dating from 1882, that the most necessary qualifications for a Surveyor-General are ability to control and enforce discipline in a large office; to take wide and sound views as regards land matters where they affect the public, and to give free and decisive expressions to the opinions which he holds, I may record my opinion that with the exception of the late Mr. Marquard, I have not met with an officer in the Survey Office who has so completely satisfied me as to his ability.

Mr. Murray, Registry Surveyor, is an officer bearing a good reputation, who might suitably be appointed to fill a vacancy in the Survey Office. His service in the Deeds Office dates from November 4, 1893. He is, therefore, of longer service than Mr. van Renen, and is not likely to serve under Mr. Bowden.

I would regret any appointment of an officer, however capable, by which we might stand to lose Mr. Bowden's services—for Mr. Bowden's value is known, and the other officers' suitability would still require to be tested.

Mr. Gilbert Hall's name has also been mentioned. I regret that I know little of this gentleman, except that he also is a highly qualified surveyor, but it seems unlikely that he would care to take a post below Mr. Bowden, and if placed above him we should still run the risk of replacing Mr. Bowden (should he resign) by another man perhaps as capable, but on the other hand, perhaps not.

I, therefore, beg respectfully to advise that Mr. Bowden be appointed as Surveyor-General, and be allowed to select his Assistant or Assistants if two are really required. I assume that Mr. van Renen would resign.

(Signed) W. HAMMOND TOOKE.

— — —

ANNEXURE B.

Copy.]

No. 139A.

Department of Agriculture,
Office of the Secretary for Agriculture,
Cape Town, 20th August, 1904.

OFFICERS LIABLE TO BE DEALT WITH UNDER
SECTION 25 OF ACT NO. 32 OF 1905.

Sir.—In compliance with the request contained in your letter No. A 1141/2272, dated the 19th ultimo, and your reminder of the 17th instant, on the above subject, I have the honour to forward herewith for the information of the Prime Minister the prescribed Pension Forms, duly filled in, of four officers in this Department who are liable to be dealt with under section 25 of Act 32 of 1895, viz.:—

Captain C. L. H. M. Jurisch, Surveyor-General;

Mr. W. H. Horne, Chief Clerk;

Mr. T. H. Maclear, First Clerk;

and Mr. M. T. Brink, Chief Draughtsman.

Of these gentlemen I recommend for exemption Captain Jurisch, *Mr. T. Maclear*, and Mr. Brink.

In the case of Captain Jurisch, the Surveyor-General, who is now absent on sick leave and is due to arrive in South Africa in the course of the next two months, I have reason to believe he was assured before his departure for Europe that there was no intention on the part of the Government to retire him. It is not necessary for me then to discuss or enter into the merits of his services. All I would say is that I trust he may return in perfect health to give the country and the Government for many years to come the benefit of his ripe judgment and experience. My reason for requesting the continuation of Mr. Brink's services are these:

- (a) The nature of the work performed by him, which consists principally of the compilation of General Plan from diagrams (old and new) is such that only by long experience, a thorough knowledge of Dutch (so as to be able to correctly translate and interpret the old Dutch title-deeds issued before the Colony came under British rule), assiduity, and love for the work, qualities all possessed by Mr. Brink in a high degree, can success be achieved.
- (b) At present there is no one in the Draughtsmen's room here who could take up this work without some years' longer practice and training.

(c) So far as I am able to ascertain, Mr. Brink is in good health, and is willing and anxious to compile and complete certain important plans which are urgently required—a task which I feel can be successfully accomplished only by his experienced hand.

I may add that much of the compilation work had to be put off during the late war, when most of the officers in the Drawing Office were called upon to frame plans, etc., for Military purposes, and as a consequence Mr. Brink was taken away from his regular duties in order to fill up the gap thus caused and to prevent the routine work from falling into arrear.

For these reasons I consider it absolutely necessary, and I strongly recommend the Government to retain the services of this officer.

With regard to Mr. Maclear, the First Clerk, most of the reasons given for the retention of Mr. Brink's services apply also in his (Mr. Maclear's) case.

For very many years this officer, in addition to his accounting work, has had under his special charge all cases dealt with under the Land Beacons Amendment and Extension Act, No. 9 of 1879; and gradually as the advantages of this Act became more apparent to and appreciated by the public, his work in this connection increased to such an extent that now it is as much as one man can do to cope with the cases that annually come up for settlement. By long practice in this branch of the work of this Department, and special knowledge of the duties incumbent upon Land Surveyors when framing diagrams for cases under Act 9 of 1879, acquirements which few, if any, of the other officers here have had an opportunity of obtaining—Mr. Maclear has become quite an adept at his work. To train a new and inexperienced man for it would, I consider, take at least two years, and as it is of the utmost importance that amended titles be carefully and correctly drawn so as to obviate possible litigation and pecuniary loss to the Government, I consider it to be in the interests of the Government to retain Mr. Maclear's services for at least two years longer. During that time care will be taken that one of the other officers having the necessary qualifications is trained to take his (Mr. Maclear's) place.

Mr. William Horne, the Chief Clerk, is mentioned last, though he is by no means the least of the many deserving officers in this Department who have got beyond the age-limit. His record, as shown in the detailed list of his services, speaks for itself, and is that of an officer who has rendered long and faithful service to the Government and his country.

The duties that devolved upon him as Chief Clerk, requiring power of organization and methodical habits, have been success-

fully carried out. His knowledge of the old, musty records here enshrined, dating back for centuries, to which reference has so frequently to be made—knowledge which can only be obtained by long service and a retentive memory—is remarkable, and is of the greatest assistance to me in cases where such records have to be referred to.

He has, however, decided to retire, and much as his services will be missed and his loss deplored in this Department, it is felt that he is the best judge of what he is capable of enduring.

For this very long and excellent service I strongly recommend his case for the favourable consideration of the Government, who I trust will make him such an allowance as a pension, in addition to what he is entitled under the regulations, as he undoubtedly deserves.

I have, etc., etc.,

(Signed) H. VAN RENEN

Acting Surveyor-General.

P.S.—Since writing the above, the very sad news of the much-to-be-regretted death of our highly respected Chief, Captain Jurisch, has been cabled from Europe.

ANNEXURE C.

RETURN OF APPLICATIONS FOR AMENDED TITLE RECEIVED BY THE SURVEYOR-GENERAL DURING THE TWO YEARS ENDED 31ST DECEMBER, 1904, IN TERMS OF "THE LAND BEACONS AMENDMENT AND EXTENSION ACT, 1879";

Giving the name of the applicant, the situation of the land in respect of which the application was made, the date of receipt of the papers in the Surveyor-General's Office, the date of the publication of the notice required by section 7 of the aforesaid Act, and the date of the issue of the amended title. In cases in which more than fourteen days elapsed between the date of the receipt of the application in the Surveyor-General's office and the publication of the notice under section 7 of the Act, the cause of the delay is briefly explained. And where more than twenty-one days elapse between the date of the expiration of the period of sixty days referred to in the said section 7 of the Act, and the date of issue of the amended title, the cause of such delay is briefly stated in each case. [A 6—'05.]

[C]

MEMORANDUM WITH REFERENCE TO THE
ABSENCE ON SICK LEAVE AND ORDINARY
LEAVE OF OFFICERS IN THE SURVEYOR-
GENERAL'S DEPARTMENT FROM MAY, 1904,
TO JANUARY, 1906.

In his reply to Question 25 (Page 4 of the Select Committee Report last Session) Mr. Van Renen makes the following statement, viz. :—

“ I may explain that after Capt. Jurisch left we had a great deal of work ; the work was increased tremendously, a lot of work was given us that used to be done in the Agricultural Department, which was assigned then to the Surveyor-General's Office, and we also had at one time no less than a half-a-dozen of the principal officers away sick. Capt. Jurisch, the Chief Clerk, the clerk next to the chief, and three other men were all away together. We consequently could not manage the work, and it got consequently slightly into arrears in some respect. That, however, could not be helped in the circumstances.”

This statement he reiterated in reply to Question No. 225 (Page 24), when he added that the office could not cope with the work because “ *six of the best men were away.*”

“ 225. Mr. Malan. During the time you were Acting Surveyor-General, what was the state of discipline in the office ; was it good ?—Yes : there were never any complaints, things went very smoothly. We never had any complaints. As I have said, the work got a little into arrears on account of men, six men, being away. Six of the best men were away, the Surveyor-General, the chief clerk, the man next to the chief clerk, and three other officers, at one time. We had to get on the best way we could with the others, but could not cope with the work.”

As the Committee during my examination last week expressed a desire to have these statements verified, I have endeavoured to do so, and I subjoin a statement shewing at a glance the number of officers absent on leave during the period for which Mr. Van Renen acted, viz. :—3rd May, 1904, to 15th December, 1904.

Leave of absence granted in Surveyor-General's office during period in which Mr. Van Renen acted (from 3rd May to 15th December, 1904).

Month, 1904.	Name of Clerks absent during Month.	Position.	Period.
May ...	A. G. Oakes ...	2nd Class Clerk ...	1 day, 30/ 5/04
June ...	W. H. Horne ...	Chief Clerk ...	11 days, 1/ 6/04 to 11/ 6/04
	T. G. de C. Budgen ...	Draughtsman ...	9 ,, 21/ 6/04 to 29/ 6/04
	P. A. Brand ...	Draughtsman ...	4 ,, 27/ 6/04 to 30/ 6/04
	A. G. Oakes ...	2nd Class Clerk ...	4 ,, 1/ 6/04 to 4/ 6/04
July ...	P. A. Brand ...	Draughtsman ...	30 ,, 1/ 7/04 to 30/ 7/04
August ...	R. Pritchard ...	Draughtsman ...	20 ,, 1/ 8/04 to 20/ 8/04
September	J. H. R. de Smidt	1st Class Clerk ...	3 ,, 28/ 9/04 to 30/ 9/04
October ...	J. H. R. de Smidt	1st Class Clerk ...	31 ,, 1/10/04 to 31/10/04
	H. R. Kuys ...	Draughtsman ...	31 ,, 1/10/04 to 31/10/04
November	P. A. Brand ...	Draughtsman ...	6 ,, 7/11/04 to 12/11/04
	W. H. Horne ...	Chief Clerk ...	30 ,, 1/11/04 to 30/11/04
	J. H. R. de Smidt	1st Class Clerk ...	30 ,, 1/11/04 to 30/11/04
	E. W. Andrews ...	Computer in Geodetic Branch.	30 ,, 1/11/04 to 30/11/04
December	W. H. Horne ...	Chief Clerk ...	31 ,, 1/12/04 to 31/12/04
	E. Stapleton ...	1st Class Clerk ...	21 ,, 1/12/04 to 21/12/04
	J. H. R. de Smidt	1st Class Clerk ...	27 ,, 1/12/04 to 27/12/04

N.B.—In addition to the above Captain Jurisch, the Surveyor-General, was absent on leave from 3rd May to 20th August, 1904, when he died. His place has not however been filled up so that his absence applies equally to the subsequent periods dealt with in the tables on pages xvi. and xvii.

Resumé:—4 Officers on Ordinary Vacation Leave.
5 ,, ,, Sick Leave.

From this statement it will be seen that at no time were there "Six of the best men away" nor were there *ever six* men of any other description absent from Office simultaneously.

On only *one* occasion were there 5 men away *simultaneously*, viz:—in November, 1904. One of these 5 was only absent for 6 days, the remaining 4 being absent for the whole month. Of these four, however, only three were in the Head Office, the fourth man Mr. Andrews being a computer in the Geodetic Branch which, according to Mr. van Renen's reply to Question 31 (page 4) does a class of work with which the Head Office does not come into contact much and which does not interfere with the Head Office much.

31. " Mr. Malan. They are scattered over the Town : does that interfere with the work ?—At present it does not, because the two departments that are away from us have classes of work that we do not come into contact with much : it does not interfere with us much.

Moreover Mr. Andrews was absent on *Ordinary Vacation Leave* and if his absence would in Mr. van Renen's opinion have interfered with the work of the office it was an error of judgment on his part to recommend it at such a time.

Eliminating Mr. Andrews, this leaves us with only Messrs. Horne and de Smidt away, and Captain Jurisch deceased. The first named was very broken in health and was on leave prior to retiring on pension and Mr. de Smidt suffered from heart trouble and was frequently absent in consequence, and was, as a matter of fact, retired on pension some time later on this ground. The work performed by these two gentlemen in the office at that time was for these reasons of small consequence and their absence in my opinion should not have the importance attached to it that Mr. van Renen attaches.

Five men were also absent during the month of June, 1904, but not simultaneously and only for such short periods as not to be of any consequence.

In December 1904, four officers were absent together but only two of them, Mr. Stapleton and Captain Jurisch would in my opinion at that time have made any difference had they been there, the other two being Messrs. Horne and de Smidt.

For the sake of comparison I have caused Returns to be compiled showing the Officers on leave during the seven months from 1st January to 31st July, 1905, when Mr. Bowden first acted as Surveyor-General and also for the six months, 1st January to 30th June, 1906, since his confirmation in the post of Surveyor-General. Captain Jurisch's position during these periods has not been filled up.

Leave of absence in Surveyor-General's Office during period in which Mr. Bowden acted from 1st January, to 31st July, 1905.

Month. 1905.	Name of Clerk absent during month.	Position.	Period.
January	{ H. van Reenen (Mr. Murray acted.)	Assistant Surveyor- General.	31 days. 1/1/05 to 31/1/05
	{ L. E. Frank ...	Draughtsman ...	13 .. 1/1/05 to 13/1/05
February	A. N. Difford ...	Temp. Computer Geodetic Branch.	21 .. 1/2/05 to 21/2/05
March ...	{ R. Pritchard ...	Draughtsman ...	4 .. 1/3/05 to 4/3/05
	{ E. Stapleton ...	Acting Chief Clerk	18 .. 13/3/05 to 30/3/05
	{ A. J. Begg ...	1st Class Clerk ...	18 .. 1/3/05 to 18/3/05
April ...	{ E. Stapleton ...	Acting Chief Clerk	20 .. 1/4/05 to 20/4/05
	{ M. C. Vos ...	Examiner of Dia- grams.	7 .. 13/4/05 to 19/4/05
	{ M. G. Apthorp ...	1st Class Clerk ...	12 .. 11/4/05 to 22/4/05
May ...	{ A. J. Begg ...	1st Class Clerk ...	13 .. 11/5/05 to 23/5/05
	{ F. L. Scholtz ...	Do. do. ...	13 .. 19/5/05 to 31/5/05
	{ T. K. K. Jurisch ...	Computer Geodetic Branch.	22 .. 10/5/05 to 31/5/05
	{ A. C. G. Oakes ...	2nd Class Clerk ...	7 .. 25/5/05 to 31/5/05
	{ J. J. Bosman ...	Director of Second- ary Triangulation.	27 .. 5/5/05 to 31/5/05
	{ F. L. Scholtz ...	1st Class Clerk ...	30 .. 1/6/05 to 30/6/05
June ...	{ T. K. K. Jurisch ...	Computer Geodetic Branch.	30 .. 1/6/05 to 30/6/05
	{ A. C. G. Oakes ...	2nd Class Clerk ...	17 .. 1/6/05 to 17/6/05
	{ J. J. Bosman ...	Director of Second- ary Triangulation.	30 .. 1/6/05 to 30/6/05
	{ T. H. Maclear ...	1st Class Clerk ...	28 .. 3/6/05 to 30/6/05
	{ A. S. Harker ...	1st Class Clerk ...	26 .. 3/6/05 to 28/6/05
	{ P. D. du Plessis ...	Computer ...	10 days, 20/7/05 to 29/7/05
July ...	{ F. L. Scholtz ...	1st Class Clerk ...	31 .. 1/7/05 to 31/7/05
	{ T. K. K. Jurisch...	Computer Geodetic Branch.	24 .. 1/7/05 to 24/7/05
	{ J. J. Bosman ...	Director Secondary Triangulation.	31 .. 1/7/05 to 31/7/05
	{ J. Souter ...	Temp. Draughtsman	7 .. 20/7/05 to 26/7/05

Resumé : 10 Officers on Ordinary Vacation Leave.

6 Sick Leave.

Leave of Absence granted in Surveyor-General's Office during first six months after Mr. Bowden was appointed Surveyor-General, 1 1 06 to 30 1 06 :—

Month, 1906.	Name of Clerk absent during Month.	Position.	Period.
January...	H. van Renen ...	Asst. S. G. ...	6 days, 8 1 06 to 13 1 06
	J. H. R. de Smidt ...	1st Class Clerk ...	31 .. 1 1 06 to 31 1 06
	T. G. de C. Budgen ...	Draughtsman ...	8 .. 3 1 06 to 9 1 06
	J. Souter ...	Temp. Draughtsman ...	3 .. 29 1 06 to 31 1 06
	W. E. Ball ...	3rd Class Clerk ...	29 .. 3 1 06 to 31 1 06
	C. R. Saunders ...	3rd Class Clerk ...	31 .. 1 1 06 to 31 1 06
	M. J. Brink ...	Ch. Draughtsman ...	17 .. 15 1 06 to 31 1 06
February	H. C. Hooper ...	3rd Class Clerk ...	31 .. 1 1 06 to 31 1 06
	J. H. R. de Smidt ...	1st Class Clerk ...	18 .. 1 2 06 to 18 2 06
	J. Souter ...	Temp. Draughtsman ...	2 .. 1st and 2nd February, 1906
	W. E. Ball ...	3rd Class Clerk ...	28 .. 1 2 06 to 28 2 06
	C. R. Saunders ...	3rd Class Clerk ...	28 .. 1 2 06 to 28 2 06
	C. E. Mathews ...	1st Class Clerk ...	7 .. 5 2 06 to 11 2 06
	M. J. Brink ...	Ch. Draughtsman ...	28 .. 1 2 06 to 28 2 06
March ...	H. C. Hooper ...	3rd Class Clerk ...	28 .. 1 2 06 to 28 2 06
	M. G. Apthorp ...	1st Class Clerk ...	5 .. 29 3 06 to 24 3 06
	W. E. Ball ...	3rd Class Clerk ...	3 .. 1 3 06 to 3 3 06
	C. R. Saunders ...	3rd Class Clerk ...	9 .. 1 3 06 to 9 3 06
	A. C. Brink ...	3rd Class Clerk ...	31 .. 1 3 06 to 31 3 06
	C. E. Mathews ...	1st Class Clerk ...	25 .. 7 3 06 to 31 3 06
	F. J. v. H. Durniny	2nd Class Clerk ...	6 .. 26 3 06 to 31 3 06
April ...	E. W. Andrews ...	Computer Geodetic Branch.	28 .. 3 4 06 to 30 4 06
	S. T. Harsant ...	3rd Class Clerk ...	16 .. 1 4 06 to 19 4 06
	A. C. Brink ...	3rd Class Clerk ...	30 .. 1 4 06 to 30 4 06
	C. E. Mathews ...	1st Class Clerk ...	36 .. 1 4 06 to 6 4 06
	F. J. v. H. Durniny	2nd Class Clerk ...	30 .. 1 4 06 to 30 4 06
May ...	E. W. Andrews ...	Computer Geodetic Branch.	2 .. 1st to 2nd May, 1906
	M. C. Vos ...	Examiner of Dia- grams.	31 .. 1 5 06 to 31 5 06
	C. R. Alston ...	Computer Geodetic Branch.	18 .. 14 5 06 to 31 5 06
	A. C. Brink ...	3rd Class Clerk ...	22 .. 1 5 06 to 22 5 06
	F. J. v. H. Durniny	2nd Class Clerk ...	23 .. 1 5 06 to 23 5 06
	M. C. Vos ...	Examiner of Dia- grams.	29 .. 1 6 06 to 29 6 06
June ...	C. R. Alston ...	Computer Geodetic Branch.	30 .. 1 6 06 to 30 6 06
	C. R. Saunders ...	3rd Class Clerk ...	25 .. 6 6 06 to 30 6 06

Resume 6 Officers on Ordinary Vacation Leave.

10 Sick Leave.

It will not be necessary for me to go into detail in regard to the above two statements, as a mere glance at them will show that the position which existed in regard to leave in the Surveyor-General's Office during the period of Mr. Van Renen's acting appointment was by no means abnormal, and that during the two subsequent periods mentioned not only were there more officers on leave, but there were more absent from office simultaneously.

In addition to his statement as to the number of officers absent on leave while he acted, Mr. Van Renen also said that the work of the office was increased tremendously. I have caused this to be inquired into, and attach a statement showing the volume of work passing through the office during this period as compared with the preceding and succeeding periods of seven months.

Return of Communications Received and Despatched during period from 1st October, 1903, to 30th April, 1904.

No. Received.	No. Despatched.
6,032	5,165
(28 per diem, including Sundays)	(24 per diem, including Sundays)

Return of Communications Received and Despatched during period from 3rd May, 1904, to 15th December, 1904.

No. Received.	No. Despatched.
8,336	6,240
(37 per diem, including Sundays)	(27 per diem, including Sundays)

Return of Communications Received and Despatched during period from 1st January, 1905, to 31st July, 1905.

No. Received.	No. Despatched.
6,830	6,117
(32 per diem, including Sundays)	(29 per diem, including Sundays)

I further subjoin a return shewing the number of applications for Amended Titles received and the number of Amended Titles issued during similar periods :—

Applications for amended Titles from October, 1903, to April, 1904, inclusive, 37.

Amended Titles issued during same period, 28.

Applications for amended Titles from May, 1904, to November, 1904, inclusive, 22.

Amended Titles issued during same period, 30.

Applications for amended Titles from January, 1905, to July, 1905, inclusive, 28.

Amended Titles issued during same period, 37.

ARTHUR J. FULLER.

[D.]

MEMORANDUM BY MR. G. N. WILLIAMS,
RE REORGANISATION OF SURVEYOR-GENERAL'S
 OFFICE.

Office of the Director of Agriculture,
 Department of Agriculture,
 Cape Town, July, 1906.

The circumstances regarding the above matter are, to the best of my recollection as follows :—

Some time in May, 1904, Mr. Currey, who was then Under Secretary for Agriculture, sent for me and, referring to the recommendations of the Select Committee of the Legislative Council on this Department, informed me that he had, for a considerable period, been thinking over a scheme for enlarging the powers and responsibilities of the various Sub-Departments of this Ministerial Division, and had evolved such a plan, which, with the Minister's sanction, he intended to put into effect without delay. We discussed the duplication of work caused by the "Lands Branch" of this Department existing concurrently with the Surveyor-General's Office, and the conclusion arrived at was that in the case of the Surveyor-General, the decentralisation should be made more absolute than in the case of other branches. I accordingly, on instructions, drafted a rough scheme providing for the transfer of the Lands Branch Work with a proportion of the staff of this Office to the Surveyor-General. I particularly remember Mr. Currey using the expression that he wished the Surveyor-General to be the "official mouthpiece of the Minister" as regards Lands matters. Mr. Currey approved of this scheme in the main and interviews took place between him and Mr. van Renen, to which I was called in at various times to explain the mode of conducting and recording correspondence, etc., in this

Office. Mr. Currey made a strong point of the system of record, and he quite concurred with me that a reliable officer accustomed to the working of our system should be transferred to the Chief Record Clerkship of the Survey Office. Eventually I was sent over to fully discuss the question with Mr. Van Renen, and, with him, to inspect the available accommodation there (Mr. Van Renen having, I believe, expressed an opinion that its inadequacy would prevent the carrying out of the scheme.) Mr. Van Renen and, if I remember aright, the Chief Clerk, Mr. Horne, and I, accordingly carried out the inspection, and although the accommodation was certainly cramped I was of opinion, which has been justified by subsequent events, that it was quite possible to carry out the proposed changes. However Mr. van Renen thought otherwise, and we then endeavoured to secure a portion of the Master's Office, without avail however. The result was that Mr. Van Renen, I believe, expressed an opinion that it was not feasible to carry out the scheme as proposed. Mr. Currey was very disappointed, but was not altogether surprised, as there had been indications that the proposal was not altogether favourably received. Accordingly the comprehensive scheme dropped, and certain subjects only were handed over to the Survey Office, the two "Lands" Offices continuing to run concurrently. What these subjects were is disclosed in our letter No. D 3713 of the 19th July, 1904. I may here explain that the system of record that had obtained in the Surveyor-General's Office up to this date was of a somewhat antiquated nature, having been in vogue for many years, and letters, etc., were recorded by means of being copied in a M.S. Book, a great waste of time and labour, which moreover, as these copies were never checked or certified to, was very liable to error. Mr. Currey made a very strong point on the record system, as I have mentioned above, and reluctance was displayed to accept innovation in this respect, except in so far as the M.S. books were concerned, which were abolished, and the press copy system adopted in their place. However, the changes above alluded to having been made, matters went on until the acting appointment of Mr. Cornish Bowden, who very shortly after his accession to the post, came over to this office and represented that he was gravely dissatisfied with the record system in the Survey Office, and the mode of dealing with correspondence generally, and that he was determined to make a radical change.

In the meantime Mr. Stapleton had become Chief Clerk, and our system was carefully examined into, with the result that Mr. Bowden approved its introduction into the Survey Office, and after discussion with me on the matter, the services of Mr. Louw, a very able young official of this Office, were transferred to the Surveyor-General's Office, where he took up the position of Chief

Record Clerk, and inaugurated the change in system there without difficulty and with complete success. Mr. Bowden, I understand, being completely satisfied as to the increased resulting efficiency of his Office.

Later, at the time of the general re-organisation of the Department, the change, which had been put forward by Mr. Currey twelve months previously, took place, and the whole of the Lands work previously performed in this Department, together with the staff and records, went over to the Survey Office, and this without increased accommodation, and as the system has now been in operation for twelve months, with, I understand, signal success, despite the many difficulties, which will be apparent to anybody acquainted with the Surveyor-General's Office, which must have beset it, I think experience has shown that Mr. Currey was amply justified in proposing the change in 1904, and that the opposition which he met with was totally unfounded. I think that from the facts above stated, Mr. Currey's opinion of the matter can be easily gauged. I have been careful to adhere to stating facts, and not to give deductions therefrom, but I think I am at liberty to say that Mr. Currey's opinion of Mr. Van Renen, from what he said to me, was very unfavourably influenced by these circumstances.

G. N. WILLIAMS.

Department of Agriculture,
20th July, 1906.

[E]

LETTER FROM UNDER SECRETARY FOR AGRICULTURE TO THE SURVEYOR-GENERAL INVESTING HIM WITH MINISTER'S DELEGATED AUTHORITY TO ACT IN CERTAIN CASES.

No. D 3713.

Department of Agriculture,
Cape of Good Hope,
Cape Town, 19th July, 1904.

The Surveyor General,

Sir,

I am directed to inform you that the Secretary for Agriculture has decided that the subjects named in the accompanying schedule shall for the future be dealt with wholly by you direct, instead of,

as heretofore, through the medium of this Office: and you are hereby invested with the Minister's delegated authority to act accordingly without reference to him except where any case should present features which are out of the ordinary course.

This authority is intended to carry with it the power to communicate direct with other Ministerial Departments.

When the authority of the Governor in Council is required for any of the matters to be dealt with under the Schedule you will be good enough to prepare a Minute in accordance with the annexed memo. and send it to this office, whence it will be forwarded to the Prime Minister and after approval returned to you. You will not receive a forwarding letter with any of these Minutes, the fact of its being endorsed as approved constituting your authority for the further procedure which may be necessary.

In any case in which the instructions or the personal authority of the Minister may be necessary in any of the subjects contained in the Schedule the papers should be submitted to him with a short precis reciting the case and your recommendations as to the procedure to be adopted. The Minister's decision will then be conveyed to you in the shape of an endorsement thereon.

It is also desired that when dealing with all matters referred to you by the Minister for report you will yourself make any preliminary references or enquiries which you consider necessary to enable you to frame a definite report or recommendation, instead of as heretofore pointing out that such and such enquiries are needed before you can finally advise the Minister.

I have, etc., etc.,

(Sgd.) CHARLES CURREY,

Under Secretary for Agriculture.

P.S.—The Secretary for Agriculture further grants you extended powers in regard to the control of your Staff as set forth in the attached Memorandum.

Department of Agriculture,
Office of the Secretary for Agriculture,
Cape Town, 19th July, 1904.

CONTROL OF STAFF.

The Surveyor-General.

1. *Appointments.*

Within the limits of your Votes you are empowered to engage, discharge, suspend and impose penalties for offences against

discipline, upon any Employé required for the work under your control, without previous reference to the Minister, provided his pay does not exceed £10 a month, and he does not contribute to the Pension Funds.

Where the pay exceeds £10 a month, or the Employee is or should be a Contributor to the Pension Funds, the Minister's previous approval must be obtained for engagement, discharge or punishment for offences against discipline.

Suspension of such officers is provided for under the Civil Service Regulations.

2. *Absence on leave.*

You are also empowered to grant leave-of-absence to all Members of your Staff or Employees without previous reference to the Minister when such leave (*a*) is in accordance with the Regulations, (*b*) does not exceed one month, and (*c*) does not involve extra cost for performance of duties. Otherwise the previous authority of the Minister must be obtained. A statement of all leave granted by you must be forwarded to the Minister monthly.

3. *Absence on Duty.*

Absence from Headquarters on duty of any Member of your Staff may be arranged by you: but in your own case the Minister must be advised of short absences say three or four days; while for longer absences his previous sanction must be obtained.

(Signed) CHARLES CURREY,

Under Secretary for Agriculture.

Department of Agriculture,

19th July, 1904.

[F]

MEMORANDUM ON MATTERS TO BE WHOLLY DEALT WITH BY THE SURVEYOR-GENERAL.

1. Amended title under Lands Beacons Act, 9, 1879.
2. Sales under Section 2, Act 15, 1887.
3. " " " " 14, " "
4. " " " " 13, " "
5. Leases under Sections 4 & 5, Act 26, 1891.
6. Boundaries—Divisional and other.
7. Documents for safe custody to go direct to Surveyor-

General.

8. Registration of Servitudes.
9. All *miscellaneous applications* for land *and enquiries* re to go direct to Surveyor-General in first instance.
10. Quitrent redemption and apportionment.
11. Transfers of land—requiring consent of Governor.
12. Geodetic Survey.
13. Topographical Survey.
14. Permits Proclamation 103, 1900.
15. Assessing Values of Parliamentary Land Grants.
16. Issue of Notices gazetting Land Surveyors.
17. Issue of Notices advertising Lands for selection under Act 40, 1895.

(Signed) CHARLES CURREY,
Under Secretary for Agriculture.

Department of Agriculture.
19th July, 1904.



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